

CITY of SAN DIEGO  
MEMORANDUM

FILE NO: 430  
DATE: September 28, 1990  
TO: John C. Smith, Police Officer II, I.D. #4047  
FROM: Bob Burgreen, Chief of Police  
SUBJECT: Notice of Suspension

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This memo is being hand delivered to advise you that you are being suspended from your employment with the City of San Diego for the period of twenty (20) working days (200 hours) effective October 5, 1990. Prior to making this decision, you were given written notice of the grounds for this action by Captain J. B. Sing on September 28, 1990. You were further given an opportunity to respond to these charges, and as a part of the response, you waived your pre-discipline (Skelly) hearing on September 28, 1990.

On July 4, 1990, at 2230 hours, you were involved in a police equipment accident while driving equipment number 1207. You were driving on a simulated island and struck the raised median. In addition, you were operating your emergency equipment in an inappropriate manner. After the collision you failed to properly report the accident.

When the accident was discovered and investigated on July 6, 1990, you made untruthful written and verbal statements to your immediate supervisor, and the investigating Traffic officers. Based on this information inaccurate reports were prepared.

On August 15, 1990, the Fleet Safety Sergeant ruled that your accident on July 4, 1990, was "Preventable, Category 3."

Therefore, based on the information available to me, I believe a suspension from duty is appropriate for the following reasons:

You have violated Civil Service Rule XI, Section 3(d), in that you violated the following lawful or official regulations:

- A. Department Policy 1.12, IV, A., Operation of Police Vehicles, in that you failed to notify Communications that you were involved in a police equipment accident.
- B. Department Policy 1.12, E., Operation of Police Vehicles, in that you failed to fill out form RM-1551, Vehicle Accident Report, within 24 hours of the collision.
- C. Department Policy 1.13, III, B 2, and 3, Emergency Vehicle Operation, in that you were operating your emergency lights and siren in an inappropriate manner.

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- D. Department Policy 9.3, Obedience to Laws, in that while operating the official police vehicle you were in violation of Vehicle Code Sections 22651(A), driving through a simulated island, and 22350, speed for conditions.
- E. Department Policy 9.28, Department Reports, in that you failed to submit your daily journal in a timely manner; and that your original ARJIS-9 and RM-1551 reports concerning the collision contained false information.
- F. Department Policy 9.29, Truthfulness, in that you gave untruthful written and verbal statements to your immediate supervisor and investigating Traffic officers. These untruthful statements resulted in inaccurate police reports being filed.

Previous disciplinary actions include:



You are hereby notified that any further instances of misconduct may result in more serious disciplinary action, including termination.

In accordance with Civil Service Rule XI, you have the right to appeal to the Civil Service Commission. If you wish to make this appeal, it must be done within five (5) working days after receipt of this notice. Your request for appeal must be in writing and must be delivered to the Personnel Director or his designated alternate within the five-day appeal period. The Personnel Director's Office is located on the ninth floor of the City Administration Building, 202 "C" Street, San Diego, California 92101.

A failure to submit said written demand to the Civil Service Commission within five (5) working days after receipt of this notice shall result in the waiver of your right to appeal and the forfeiture of all your rights to a hearing in the case before the Commission.

You also have the right to prepare a written rebuttal and have it placed with this Notice of Suspension in your personnel file. Any rebuttal must be submitted to the Police Personnel Division within thirty (30) calendar days of receipt of this notice.




Bob Burgence  
Chief of Police

DEPUTY CHIEF

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This Notice of Suspension was handed to me in the presence of Lt. John Morrison  
on 9-28-90. I have been given full explanation as to my right of  
appeal and instructions on how to proceed. Receipt of this memorandum is  
acknowledged.

  
Employee's Signature

9-28-90  
Date

 LT  
Witness Signature

9-28-90  
Date

cc: City Manager  
City Personnel Director  
Police Personnel Office-file

CITY of SAN DIEGO  
MEMORANDUM

FILE NO: 430  
DATE: September 28, 1990.  
TO: John C. Smith, Police Officer II, I.D. #4047  
FROM: James B. Sing, Commanding Officer, Northern Division  
SUBJECT: Advance Notice of Adverse Action

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This is to notify you that I am recommending to the Chief of Police that you be suspended from your position as a Police Officer II for twenty (20) working days. I am proposing that your suspension be made effective at the earliest convenience of the Department, given your right to appeal my recommendation.

This recommendation for your suspension is based on the fact that:

On July 4, 1990, at 2230 hours, you were involved in a police equipment accident while driving equipment number 1207. You were driving on a simulated island and struck the raised median. In addition, you were operating your emergency equipment in an inappropriate manner. After the collision you failed to properly report the accident.

When the accident was discovered and investigated on July 6, 1990, you made untruthful written and verbal statements to your immediate supervisor, and the investigating Traffic officers. Based on this information inaccurate reports were prepared.

On August 15, 1990, the Fleet Safety Sergeant ruled that your accident on July 4, 1990, was "Preventable, Category 3."

Therefore, based on the information available to me, I believe a suspension from duty is appropriate for the following reasons:

You have violated Civil Service Rule XI, Section 3(d), in that you violated the following lawful or official regulations:

- A. Department Policy 1.12, IV, A., Operation of Police Vehicles, in that you failed to notify Communications that you were involved in a police equipment accident.
- B. Department Policy 1.12, E., Operation of Police Vehicles, in that you failed to fill out form RM-1551, Vehicle Accident Report, within 24 hours of the collision.
- C. Department Policy 1.13, III, B 2, and 3, Emergency Vehicle Operation, in that you were operating your emergency lights and siren in an inappropriate manner.

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- D. Department Policy 9.3, Obedience to Laws, in that while operating the official police vehicle you were in violation of Vehicle Code Sections 22651(A), driving through a simulated island, and 22350, speed for conditions.
- E. Department Policy 9.28, Department Reports, in that you failed to submit your daily journal in a timely manner, and that your original ARJIS-9 and RM-1551 reports concerning the collision contained false information.
- F. Department Policy 9.29, Truthfulness, in that you gave untruthful written and verbal statements to your immediate supervisor and investigating Traffic officers. These untruthful statements resulted in inaccurate police reports being filed.

Previous disciplinary actions include:



Before any action is taken on this recommendation to suspend you from duty, you have the opportunity to respond and present any information you wish as to why this action should not take place. You have the right to be represented and to respond either orally or in writing to me by WAIVED HEARING on                     . A failure to respond to me by that time will be deemed a waiver of your opportunity to respond. A copy of all reports and previous discipline upon which this action is based is attached. These are listed below:

1. Officers John Smith and Peter Caruso's Daily Activity Journal, dated July 4, 1990.
2. Collision Report, dated July 6, 1990, written by Officer D. Jennes, I.D. #3594, and S. Thompson, I.D. #3746, detailing the Police Equipment Collision of July 4, 1990.
3. Vehicle Damage Report, form RM-1551, completed by Officer John Smith, on July 6, 1990.
4. Supervisor's Vehicle Accident Investigation Report, form RM-1567, completed by Sergeant Richard O'Hanlon, dated July 7, 1990.
5. ARJIS-9 Report written by Officer Caruso, dated July 9, 1990.
6. ARJIS-9 Report written by Officer John Smith, dated July 9, 1990.
7. Vehicle Damage Report, written by  dated July 12, 1990.
8. Review of Materials Policy, signed by Officer Caruso and Sergeant O'Hanlon, dated July 13, 1990.

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9. Review of Materials Policy, signed by Officer Smith and Sergeant O'Hanlon, dated July 13, 1990.
10. Review of Materials Policy, signed by Officer Smith and Sergeant O'Hanlon, dated July 24, 1990.
11. Amended Collision Report completed by Sergeant Richard O'Hanlon, dated July 28, 1990, detailing the collision of July 4, 1990.
12. Amended Supervisor's Vehicle Accident Investigation Report, form RM-1567, completed by Sergeant Richard O'Hanlon, dated July 24, 1990.
13. Memorandum, dated August 1, 1990, completed by Detective J. A. Stewart, Traffic Investigations Unit.
14. Amended Vehicle Damage Report, form RM-1551, completed by Officer Smith on August 2, 1990.

- [REDACTED]
16. City Manager Vehicle Collision Review and Prevention Program Report, #90-207, dated 08-15-90.

The tape recorded interviews of Officers Smith and Caruso as well as the Communications tape of incident B6548 will be maintained by Sergeant Richard O'Hanlon.

[REDACTED]  
James B. Sing,  
Captain

On 9-28-90 @ 0920,  
I witnessed the personal delivery  
of this notice and the above  
listed documents to the employee.

[REDACTED]  
Witness Signature

Without agreeing to or admitting to  
any of the statements above, I admit  
receiving this notice and the above  
listed documents on 9.28.90. 0925 hrs

[REDACTED]  
Employee's Signature

CITY of SAN DIEGO  
MEMORANDUM

FILE NO: 430  
DATE: August 7, 1990  
TO: Gary L. Gollehon, Lieutenant, Northern Division  
FROM: Richard M. O'Hanlon, Sergeant, Beach Enforcement Team  
SUBJECT: Supervisor's Investigative Report Concerning Misconduct of  
Officer John C. Smith, I.D. #4047

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**SUMMARY**

On July 4, 1990, at approximately 2230 hours, Officer John C. Smith was driving equipment number 1207. Officer Peter J. Caruso, I.D. #4009, was the passenger officer. Smith struck a raised asphalt median at 1100 Sea World Drive. This accident caused moderate damage to the police vehicle. This accident was not properly reported. Unit 1207 was found damaged the next morning by Northern Division garage personnel.

On July 6, 1990, a traffic collision investigation was conducted. During this investigation Officer Smith made untruthful statements concerning the collision. The untruthful statements were made to Smith's immediate supervisor, Sergeant Richard M. O'Hanlon, I.D. #2699, as well as the investigating officers from Traffic Division. The untruthful statements made by Officer Smith were in both verbal and written form. Officer Smith also made untruthful written statements on form RM-1551, Vehicle Damage Report. Based on these untruthful statements an inaccurate collision report was completed. Also an inaccurate Supervisor's Vehicle Accident Report (RM-1567) was completed. Smith originally stated the collision occurred while he was responding "Code Three" to a "Cover Now" call. Subsequent investigation revealed that Smith was not responding to an emergency call when the accident occurred. Smith was operating a police vehicle unsafely when he struck a raised asphalt median.

The Fleet Safety Sergeant ruled the collision a "Preventable, Category Three."  
(Accident #90-207.)

**INVESTIGATION**

On July 5, 1990, at approximately 0700 hours, Northern Automotive Technician [REDACTED] attempted to drive equipment number 1207. [REDACTED] found the unit parked adjacent to the car wash along the east fence of the parking

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### INVESTIGATION (Continued)

lot. As [REDACTED] started the vehicle he immediately noticed the gear shift indicator was broken. As [REDACTED] drove the vehicle it became apparent the steering column and alignment were also damaged.

Unit 1207 was placed on a rack where the damage could be evaluated further. An examination of the vehicle revealed significant undercarriage damage. The inside rear view mirror had been knocked off. The front bumper was misaligned. Both front rims were bent. There was damage to the front cowl near the hood latch. The inside hood bracing had two dents in it from being struck by the engine.

Equipment number 1207 is assigned to the Northern Division Beach Enforcement Team. At the time the damage was discovered the odometer read 82109.5 miles. Lieutenant R. L. James, I.D. #1469, was notified of the damaged vehicle.

Lieutenant James advised me of the damaged vehicle when I arrived at work. I reviewed the Journals from July 1, 1990, through July 4, 1990, in an attempt to locate the last driver of that unit. During my review I was unable to locate the journal for Officers Smith and Caruso for July 4, 1990. I recalled seeing Smith and Caruso driving a black and white unit the evening of July 4, 1990. I did not recall what the equipment number was. I had seen the officers at the command post, at approximately 2200 hours on July 4, 1990, and advised them they were cleared to secure.

Thursday, July 5, 1990 was a day off for Officers Smith and Caruso.

On Friday, July 6, 1990, I told Smith and Caruso that I needed their journal from July 4, 1990. They stated they had inadvertently left the document at the lifeguard station at 700 Ventura Place. I ordered Smith and Caruso to retrieve the journal and return immediately to Northern with the document. This journal would indicate which vehicle Smith and Caruso were driving on the 4th.

Approximately forty-five (45) minutes later I attempted to raise Smith and Caruso on the radio. I walked outside the station and saw Smith and Caruso by the garage area talking to [REDACTED], a mechanic. Unit 1207 was up on a rack.

I asked Smith and Caruso if they had retrieved their journal. They replied, "No, [REDACTED] told us about the damaged car." Smith stated, "I guess I damaged the car more than I thought."

At approximately 1915 hours I asked Smith and Caruso about their knowledge of the damaged vehicle. Sergeant Dave Douglas, I.D. #2237, was also present during this initial interview.



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INVESTIGATION (Continued)

Officer John Smith stated essentially the following about the damaged vehicle:

We were going to the "Cover Now" at De Anza Cove. I started out from near Fiesta Island. Traffic was really backed up. I was going Code-3, with my lights and siren. I hit the curb. The call went Code-4 after we got on the freeway. I drove to Mission Bay Hospital and checked the car. I didn't notice any damage to the hood or anywhere else. The steering was a little off. The car drove fine the rest of the night. The gear shifter felt a little funny.

Officer Caruso stated essentially the following:

We were going to a cover call at De Anza Cove. John was driving, we hit the curb at Sea World Drive near I-5. We hit pretty hard. We didn't have a problem with the car the rest of the night. John said the gear shifter felt a little funny. We stopped at Mission Bay Hospital and checked the car. I'm not a mechanic. I didn't notice any damage. We didn't look at the undercarriage.

On July 6, 1990, a Traffic supervisor, Sergeant W. Clem, I.D. #1484, and Officers S. Thompson, I.D. #3746, and D. Jennes, I.D. #3594, responded to Northern Division to investigate the police equipment accident. The damage to Unit 1207 was identified and photographed.

The following damage was identified:

1. Cracked right turn signal and housing, cracked right front bumper area.
2. Broken shift linkage.
3. Damaged oil pan.
4. Damaged front stabilizer bar.
5. Bent front rims.
6. Dents to the underside of the hood from the engine striking it.

I ordered Smith and Caruso to locate their daily journal. I further instructed them to meet myself and the Traffic officers at Sea World Drive and Pacific Highway to locate the accident scene.

Smith and Caruso retrieved their journal from July 4, 1990, and located the accident scene at 1100 Sea World Drive. At the accident scene Smith and Caruso gave written statements, ARJIS-9's, as to how the accident occurred. These reports were incorporated into the accident report written by Officers Jennes and Thompson, dated 07-06-90.

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### INVESTIGATION (Continued)

The ARJIS-9 reports written by Smith and Caruso both indicated they were driving "Code Three" to a cover call at De Anza Cove. According to these reports Smith and Caruso were driving through a simulated island, eastbound on Sea World Drive. As they were driving through the island they struck a raised asphalt center median. Smith and Caruso stated that after striking the median the cover call went "Code Four." Smith drove to Mission Bay Hospital. Smith and Caruso stated they inspected the vehicle and did not see any damage. Smith stated the alignment appeared to be off.

Smith and Caruso stated they drove this unit for the remainder of their shift. Smith and Caruso secured from their shift at approximately 2300 hours on July 4, 1990.

The radio transmissions on Frequency Two and TAC were reviewed. The cover call occurred on July 4th, at 1626 hours. (Incident number 5642.) A parking controller was struck by a vehicle while directing traffic at De Anza Cove. This vehicle was subsequently located and the occupants were taken into custody. The tape recording indicates Smith and Caruso, Unit 171Z, never advised the dispatchers on either frequency they were responding to the cover call.

A review of Smith and Caruso's journal for July 4th, shows they volunteered for the cover call. The time of the cover call noted on the journal is 1600 hours.

The Traffic units completed their investigation and forwarded the accident report to the Fleet Safety Sergeant. Officer Smith completed a Vehicle Damage Report, form RM-1551. Smith indicated on this document he was enroute to a cover call at 1600 hours when the accident occurred. Smith wrote he was driving Code-3 in the center island, getting around stopped traffic when he struck the raised island. Smith further wrote he stopped at Mission Bay Hospital and inspected the police unit for damage. Smith indicated he did not see any damage. Smith wrote he first became aware of the damage when a garage mechanic told him about it.

Smith completed his reports on July 6, 1990.

On July 6, 1990, I completed a Supervisor's Vehicle Accident Investigation Report, form RM-1567. My investigation was based on Smith and Caruso's verbal and written statements to the Traffic officers. My investigation indicated Smith was driving Code-3 to a "Cover Now" call at De Anza Cove. While driving through a simulated island Smith struck a raised asphalt median at 1100 Sea World Drive. My investigation also indicated this collision was not properly reported. The Supervisor's Vehicle Accident Investigation Report and Vehicle Damage Report were forwarded to the Fleet Safety Sergeant.

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### INVESTIGATION (Continued)

On Saturday, July 7, I was at 700 Grand Avenue with [REDACTED], Chairperson of the Citizen's Review Board on Police Practices. [REDACTED] was riding with me as an observer. We were approached by a citizen who inquired as to the welfare of the officers involved in the accident. I asked this citizen, [REDACTED], some general questions about the accident.

[REDACTED] stated the accident occurred on Sea World Drive. [REDACTED] stated a police car hit a raised island at about fifty (50) mph. I obtained [REDACTED] information and told him I would contact him in the next few days.

On July 8, 1990, at approximately 1250 hours, I interviewed Automotive Technician [REDACTED]. [REDACTED] stated essentially the following:

I got to work about 7:00 o'clock in the morning. I got into Unit 1207 to roadtest it. That is normally the first thing I do when I get to work. As soon as I got in the car I knew something was wrong with the car. The rear view mirror was knocked off. The right turn indicator was broken. The bumper was bent. The gear shift lever was loose and was touching the dash. The car was parked along the fence by the car wash. Also the fiberglass cowl was broken. When I drove the car you could tell something was wrong. I told my boss about the damage. Whoever damaged the car had to know they did it.

On July 9, 1990, Officer Smith and Caruso hand-delivered ARJIS-9 reports to Sergeant Douglas. These reports stated the original ARJIS-9's submitted to the Traffic unit about the accident on July 6, 1990, were in error. The reports dated July 9, 1990, submitted by Smith and Caruso stated the accident occurred at 2230 hours. These reports stated Caruso and Smith did not check the vehicle for damage until they arrived at the Northern Substation.

On July 9, 1990, at approximately 1410 hours, I interviewed [REDACTED] over the telephone. [REDACTED] pertinent information is as follows:

[REDACTED] stated essentially the following:

I was with [REDACTED]. We were on Sea World Drive going towards I-5. We were in the fast lane, closest to the middle. We were about two car lengths back from the intersection. I had the windows down, I saw flashing lights, but I didn't hear a siren. I heard skid marks. The police car went airborne after hitting the island. Two hubcaps came off. I thought they hit a sign but I can't be sure. The police car went north on I-5 for two exits and then turned off. He was going over fifty miles per hour when he hit the median.

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### INVESTIGATION (Continued)

On July 26, 1990, I reinterviewed [REDACTED]. The purpose of this interview was to clarify the time of the collision. The interview was conducted over the telephone. [REDACTED] stated essentially the following:

The accident happened around 10:30 p.m. I'm sure of the time because it was after the fireworks. Traffic was bumper to bumper.

(At this time I have been unable to interview [REDACTED], [REDACTED] passenger.)

On July 11, 1990, I met with Detective James Stewart, I.D. #3378, of the Traffic Investigations Unit. Detective Stewart and I reexamined the collision scene and Unit 1207. The collision scene was photographed by Detective Stewart. Based on the examination of the collision scene and the damage to Unit 1207, Detective Stewart formed the following opinion:

The driver of Unit 1207 would have to reasonably conclude that he/she was involved in an accident and should have been aware of the damage. There is not any damage on Unit 1207 consistent with the vehicle striking a sign.

Detective Stewart's report is attached.

The cost of repairing Unit 1207 is estimated at \$945.38. This information is contained in a damage report submitted by [REDACTED], dated July 12, 1990. This report is attached.

On July 13, 1990, at approximately 1905 hours, I interviewed Officer Peter Caruso. Prior to the interview Caruso reviewed all of the written materials that had been compiled during my investigation. Caruso signed the "Internal Affairs Review of Materials Policy" in my presence. Officer Caruso was also given the Garrity Warning prior to the interview. Officer Caruso requested representation and the interview was concluded.

On July 13, 1990, at approximately 1940 hours, I interviewed Officer John Smith. Prior to the interview Smith reviewed all of the written materials compiled during my investigation. Smith signed the "Internal Affairs Review of Materials Policy" in my presence. Officer Smith was also given the Garrity Warning prior to the interview. Officer Smith requested representation and the interview was concluded.

On July 20, 1990, at approximately 1510 hours, I interviewed garage mechanic Arturo [REDACTED]. [REDACTED] stated essentially the following:

I was in the garage. Car 1207 was up on the rack. [REDACTED] came over and I asked them who messed up the car. I told them to check it out. This was Friday evening (July 6, 1990).

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### INVESTIGATION (Continued)

On July 24, 1990, at approximately 0800 hours, I interviewed Officer Peter Caruso. Also present was Caruso's attorney James Gattey. The interview was tape recorded. Prior to the interview Caruso and Gattey reviewed all of the documents I had compiled in this matter. I read Caruso the Garrity Warning prior to the interview. The interview was tape recorded.

Caruso stated essentially the following:

John was driving on July 4th. Traffic was backed up well past Sea World Drive, past the center divider both ways. John had the lights on and was tapping the siren. We were going 10-19, back up to the sub to secure at the end of shift. The accident happened about 11 o'clock in the evening. It didn't happen like we stated originally. It happened like we stated in our supplemental reports.

We were going about thirty miles per hour or so when we hit. The time on the accident report is wrong. When we first learned of the accident, John was real worried that he was going to get terminated because we were going 10-19 and not to a cover call. John thinks that you are not very fond of him. Plus statements that you made that any discipline we would get would be three times worse than anybody else. So instead of saying we were going 10-19 we said we were going to a cover call. He said he was going to report it like that. I wasn't too keen on that. I did it to cover him. I knew I could change his mind probably over the weekend, and have us resubmit an addendum to the report, which we did. I had to work with him that night. He was my cover. If he submitted a report that says one thing and I submit a report that says he's lying, I would be putting myself at a risk. I weighed both of them and I wrote my report concurrent with his report.

The accident happened when it was dark. Traffic was backed up from the beach because of the fireworks. There wasn't a cover call, John was driving to get around traffic. We hit a raised center island near Sea World and I-5. John did the journal that night.

We parked the car in the back near the car wash. We always park back there because my own vehicle is parked back there, it is easy to unload. We didn't notice any hubcaps missing from the car. We did not put any hubcaps on the car.

The accident was at about 10:30, right after we left the command post. We first became aware of the damage Friday after lineup, when we spoke to Art. John said that the steering felt a little funny. He let go of the steering wheel and the car went straight. I told him to hit the brakes, he did and the car didn't do anything unusual. I've been in accidents similar to that where the front end was totally messed up, but this was fine.

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### INVESTIGATION (Continued)

We never went to Mission Bay Hospital and checked the car. I don't recall the rearview mirror being knocked off. John left the journal down at the lifeguard tower.

The accident was between 2230 to 2300, not earlier. We looked at the car when we got to Northern. I looked under the front and didn't see anything. John looked a little more than I did and he didn't see anything. The reason for the error in the time of the accident was because John thought he would be in trouble if he reported that we were going 10-19. He wanted to say we were going to the cover call. I went along with it. I knew I could get him to change his story, which we did, to what it was. At the time he wanted to report it like that.

I could have reported it the way it happened. But I would put him in a position where he was lying or I was lying. I had to work with him the next night.

(At this point the tape ran out. The unrecorded conversations were summarized on side two of the tape. The gap was approximately forty-five seconds.)

I first became aware of the damage on Friday. The mechanic told John about it and John called me over. We went down to the P.O.A. and told them about it. We wrote an addendum to clarify the matter.

The interview was concluded at 0825 hours.

On July 24, 1990, at approximately 1405 hours, I interviewed Officer John Smith. Steve McMillan, Smith's representative, was also present. Prior to the interview Smith and McMillan reviewed all of the documents that I had compiled during the course of my investigation. Smith and McMillan also listened to the interview of Officer Caruso. Smith signed the "Internal Affairs Review of Materials Policy" in my presence. Smith was given the Garrity Warning prior to the interview. The interview was tape recorded. Smith stated essentially the following:

Pete and I were in a black and white, equipment 1207, on July 4th. I was driving. The incident happened about 10:30, 11:00 o'clock p.m. We had just left the command post at Sunset Point. Traffic was heavy. I was going eastbound on Sea World Drive.

I was driving on the center island and hit a raised island. I was driving on the island to get around traffic. I was going about 30 mph. I had my lights and siren on. I had the amber on and the red light on to the front. Periodically I would hit the siren. I don't think they were on the full rotation mode.

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### INVESTIGATION (Continued)

I hit the island and came off of it. I went on I-5. I didn't take any off ramps before La Jolla Village Drive. I parked the car in the back row. I normally park there. I examined the car about 11:15. I walked around the front and looked underneath the front end. I didn't look at the tires. I didn't notice any hubcaps missing. I didn't notice the rearview mirror missing.

It felt like the wheel was a little funny. I let go of the wheel and the car went straight. I hit the brakes and the car didn't pull to either side.

I did the journal that night. I left the journal in the lifeguard tower. I found it on the desk on the second floor. I did not put any hubcaps on the car.

I first found out about the damage on Friday when I came back to work. The mechanic asked if I was driving the car. He said I messed it up. He said there was damage to the undercarriage. When I looked at it on the Fourth I didn't notice anything.

Initially I said the accident occurred during a cover call, about 8 o'clock, 8:30. I said that because I feared retaliation, from the command, because we were using the lights when we weren't supposed to.

The accident actually occurred around 10:30 p.m., like we wrote in our addendum reports. We wrote the addendums on Monday.

When I told you that I looked at the car at Mission Bay Hospital that was incorrect. After the accident I drove right to the station. The accident occurred at 10:30, initially I said the accident occurred earlier. The initial traffic report is wrong.

The interview was concluded at 1420 hours.

On July 29, 1990, I wrote an amended collision report. This report indicates the correct time of the collision, 2230 hours. The report also reflects that Officer Smith was not driving "Code 3" in response to a "Cover Now" call. The report indicates that Smith was driving through a simulated island trying to get around traffic when he struck the raised island. Smith was not responding to a radio call but instead was driving to Northern Division when the impact occurred.

On July 29, 1990, I prepared a revised Supervisor's Vehicle Accident Investigation Report, form RM-1567.

On August 2, 1990, I received a revised Vehicle Damage Report, form RM-1551, from Officer Smith.

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### INVESTIGATION (Continued)

The "Amended" collision report, revised supervisor's investigation and revised vehicle damage report have been forwarded to the Fleet Safety Sergeant.

On August 16, 1990, Keith R. Grote, I.D. #1380, Fleet Safety Sergeant, ruled that Smith's accident was a "Preventable, Category 3" collision.

On August 16, 1990, Officer Smith was advised of the finding concerning his collision by the Fleet Safety Sergeant.

### CONCLUSION

Officer Smith was driving a marked unit through a simulated island at 1100 Sea World Drive. Smith struck a raised island while driving through the median. Smith was not responding to an emergency radio call when the collision occurred. Smith was operating his emergency equipment in an improper manner. After the collision Smith did not properly report the accident. This action by Smith left a damaged unit available for other police personnel to use. The damage was of the extent that the vehicle was a considerable safety hazard for anyone else to operate.

When Smith was confronted with the damaged unit he gave false statements as to the time and nature of the collision. Smith completed a Vehicle Damage Report in an untruthful manner. Based on Smith's statements an inaccurate collision report and Supervisor's Vehicle Accident Investigation Report were completed.

An amended collision report, Vehicle Damage Report, and Supervisor's Accident Investigative Report have been submitted.

Officer John C. Smith has violated Civil Service Rule XI, Section 3(d) in that he violated the following lawful or official regulations:

- A. Department Policy 1.12, IV, A., Operation of Police Vehicles, in that you failed to notify Communications that you were involved in a police equipment accident.
- B. Department Policy 1.12, E., Operation of Police Vehicles, in that you failed to fill out form RM-1551, Vehicle Accident Report, within 24 hours of the collision.
- C. Department Policy 1.13, III, B 2, and 3, Emergency Vehicle Operation, in that you were operating your emergency lights and siren in an inappropriate manner.



August 7, 1990  
Gary L. Gollehon, Lieutenant, Northern Division  
Supervisor's Investigative Report Concerning Misconduct of  
Officer John C. Smith, I.D. #4047  
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CONCLUSION (Continued)

- D. Department Policy 9.3, Obedience to Laws, in that while operating the official police vehicle you were in violation of Vehicle Code Sections 22651(A), driving through a simulated island, and 22350, speed for conditions.
- E. Department Policy 9.28, Department Reports, in that you failed to submit your daily journal in a timely manner, and that your original ARJIS-9 and RM-1551 reports contained false information.
- F. Department Policy 9.29, Truthfulness, in that you gave untruthful written and verbal statements to your immediate supervisor and investigating Traffic officers. These untruthful statements resulted in inaccurate police reports being filed.

Attached are the following documents and materials:

- 1. Officers John Smith and Peter Caruso's Daily Activity Journal, dated July 4, 1990.
- 2. Collision Report, dated July 6, 1990, written by Officer D. Jennes, I.D. #3594, and S. Thompson, I.D. #3746, detailing the Police Equipment Collision of July 4, 1990.
- 3. Vehicle Damage Report, form RM-1551, completed by Officer John Smith, on July 6, 1990.
- 4. Supervisor's Vehicle Accident Investigation Report, form RM-1567, completed by Sergeant Richard O'Hanlon, dated July 7, 1990.
- 5. ARJIS-9 Report written by Officer Caruso, dated July 9, 1990.
- 6. ARJIS-9 Report written by Officer John Smith, dated July 9, 1990.
- 7. Vehicle Damage Report, written by [REDACTED] dated July 12, 1990.
- 8. Review of Materials Policy, signed by Officer Caruso and Sergeant O'Hanlon, dated July 13, 1990.
- 9. Review of Materials Policy, signed by Officer Smith and Sergeant O'Hanlon, dated July 13, 1990.
- 10. Review of Materials Policy, signed by Officer Smith and Sergeant O'Hanlon, dated July 24, 1990.

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CONCLUSION (Continued)

11. Amended Collision Report completed by Sergeant Richard O'Hanlon, dated July 28, 1990, detailing the collision of July 4, 1990.
12. Amended Supervisor's Vehicle Accident Investigation Report, form RM-1567, completed by Sergeant Richard O'Hanlon, dated July 24, 1990.
13. Memorandum, dated August 1, 1990, completed by Detective J. A. Stewart, Traffic Investigations Unit.
14. Amended Vehicle Damage Report, form RM-1551, completed by Officer Smith on August 2, 1990.

- 
16. City Manager Vehicle Collision Review and Prevention Program Report, #90-207, dated 08-15-90.

The tape recorded interviews of Officers Smith and Caruso as well as the Communications tape of incident B6548 will be maintained by Sergeant Richard O'Hanlon.

Appropriate disciplinary action is recommended.



Richard M. O'Hanlon, Sergeant  
Northern Division

RMO:mlr  
Attachments

NAME #1 P. CARUSO		SUPERVISOR ID #1 2699		SUPERVISOR NAME #1 O. HANSON	
NAME #2 J. SMITH		SUPERVISOR ID #2		SUPERVISOR NAME #2	
SHIFT N-9	HOURS 1000 2000	ASSIGNMENT 171	RADIO #1 N-37	RADIO #2 N-49	PLADAN # 0
ARRESTS FEL MISD DUI		AM	CITIZEN CONTACT	REFERRAL	COMM. MTD OPEN BUS.
INVESTIGATIONS CRIME OTHER VEH IMP VEH REG ACCID.		TRAFFIC ENFORCEMENT HAZ PLADAN NON-HAZ PARK T.W.		SPECIAL CODE #1	
TOT OST 60		COLLISION ENFORCEMENT DUI NV MISD/CIT ADV/CIT		SPECIAL CODE #2	

BEACH ENFORCEMENT TEAM MISDEMEANOR CITATIONS ONLY.							TOTAL ALCOHOL RELATED CONTACTS -	
TYPE	LOCATION	11357b	25662	63.20.5e	63.02.8a	56.54	OTHER	TOTAL TIME SPENT ON ALCOHOL CONTACTS -
RTN	NORTHERN							
V/C	2000 GRAND			4/0	EQP	✓		
V/C	1400 GRAND			245	BAT		✓ AREA	✓ NEG
V/C	8KT BEACH			504	A		C-4	
V/C	4500 MISSION			COVER	MOTOR UNIT		10.22	N
FF	" "			465	FIGHT		C-4	1/2 GOA
V/C	SAN LUIS RPT & MISSION				10-88	Now.	C-4	
V/C	BALBOA & MISSION				10-88	10851	C-4	SIN
V/C	700 VENTURA				10-88	CROWD	A-47	C-4
V/C	MARINERS			415	FIGHT		C-4	MOTOR UNIT
V/C	3000 OCEAN			415	FIGHT	10-88	WACKING UNIT	C-4
V/C	800 W MISSION			481	VEHICLE		✓ NEG	
V/C	DRANFA			1088	Now		C-4	SK
V/C	BAYSIDE - 3600							
V/C	3800 STRAND WAY			1082	W/M	UNIT	C-4	
V/C								
V/C	3500 STRANDWAY			10-87	W/	1772	NOISE PROGRAM	
V/C							P/C	BIKE D. PRO
V/C	3000 OCEAN			48	FIGHT		C-4	

ID


DATE

OFFICER

# SAN DIEGO POLICE DEPARTMENT TRAFFIC COLLISION REPORT

96-207 1KAG

Page 1 of 10

PRIMARY CAUSE <u>SKID</u>		NO. INJURED <u>0</u>	H & R FELONY <input type="checkbox"/>	CITY <u>SAN DIEGO</u>	BEAT <u>122</u>	COLLISION NUMBER	
SECTION <u>22350</u>		NO. KILLED <u>0</u>	H & R MISD. <input type="checkbox"/>	COUNTY <u>SAN DIEGO</u>	NCIC # <u>3711</u>	OFFICER I.D. # <u>3594</u>	
LOCATION	COLLISION OCCURRED ON <u>1100 SEAWORLD DR. BET. PACIFIC HWY</u>				MO. <u>7</u> DAY <u>4</u> YR. <u>90</u> TIME <u>12:01</u>	DAY OF WEEK <u>S M T W T F S</u>	EMERGENCY <input checked="" type="checkbox"/>
	<u>AND I-5</u>				INJURY, FATAL OR TOW AWAY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		STATE HIGHWAY RELATED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
	<input checked="" type="checkbox"/> AT INTERSECTION WITH OR: <u>188<sup>th</sup></u> FEET/MILES <u>WEST</u> OF THE WCL OF <u>I-5 ON RAMP</u>				NO. VEH'S INV'L'D. <u>ONE</u>		PHOTOGRAPHS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
CLASS OF COLLISION			INVESTIGATED	FOR OFFICE USE		FOR OFFICE USE	
<input type="checkbox"/> 1. Fatal <input type="checkbox"/> 2. Injury <input checked="" type="checkbox"/> 3. Prop. Damage Only <input type="checkbox"/> 4. On Private Property			<input checked="" type="checkbox"/> AT SCENE <input type="checkbox"/> NOT AT SCENE	HR GAR SAC TRAN SAF SSP PRO COR INS		TOTAL	
1. At Intersection 2. Not at Intersection 3. On Public Property 4. On Private Property			ON STREET <input type="checkbox"/> OFF STREET <input type="checkbox"/>	IMD. FORM SENT <input type="checkbox"/>			
PARTY 1	DRIVER'S LICENSE NUMBER			STATE	CLASS	SAFETY EQUIP.	VEH. YR.
	<u>[REDACTED]</u>			<u>CA</u>	<u>13</u>	<u>88</u>	MAKE/MODEL/COLOR <u>BLU/WHT FORD CROWN VIC</u>
DRIVER	NAME (FIRST, MIDDLE, LAST) <u>JOHN CHARLES SMITH</u>			OWNER'S NAME/ADDRESS <u>CITY OF SAN DIEGO</u>			
PEDESTRIAN	STREET ADDRESS <u>1401 BROADWAY NORTHERN BEACH</u>			DIR. OF TRAVEL <u>ON STREET OR HIGHWAY</u>			
PARKED VEH.	CITY/STATE/ZIP <u>SD CA 92101</u>			SPEED <u>30</u>			
BICYCLIST	SEX	HAIR	EYES	HEIGHT	WEIGHT	BIRTHDATE	RACE
	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
OTHER	HOME PHONE			BUSINESS PHONE			
	<u>[REDACTED]</u>			<u>[REDACTED]</u>			
	INSURANCE CARRIER			POLICY NUMBER			
	<u>SELF CITY OF SAN DIEGO</u>						
PARTY 2	DRIVER'S LICENSE NUMBER			STATE	CLASS	SAFETY EQUIP.	VEH. YR.
							MAKE/MODEL/COLOR
DRIVER	NAME (FIRST, MIDDLE, LAST)			OWNER'S NAME/ADDRESS			
				<input type="checkbox"/> SAME AS DRIVER			
PEDESTRIAN	STREET ADDRESS			DIR. OF TRAVEL			
				<input type="checkbox"/> ON STREET OR HIGHWAY			
PARKED VEH.	CITY/STATE/ZIP			SPEED			
BICYCLIST	SEX	HAIR	EYES	HEIGHT	WEIGHT	BIRTHDATE	RACE
OTHER	HOME PHONE			BUSINESS PHONE			
	INSURANCE CARRIER			POLICY NUMBER			
SKETCH <div style="text-align: center;">                       INDICATE NORTH                 </div> <p style="font-size: 2em; margin-top: 20px;">SEE LARGE DIAGRAM</p>							
INITIAL CONTACT POINT <u>188<sup>th</sup> W. OF THE WCL OF I-5 SIB ON RAMP.</u> <u>41<sup>st</sup> N. OF THE SCL OF 1100 SEAWORLD DR.</u>							
INVESTIGATION NARRATIVE/ADDITIONAL WITNESSES <div style="border: 1px solid black; height: 100px; margin-top: 10px;"></div>							
SEE COLLISION SUMMARY							

COLLISION NUMBER:

Page 2 of 10[illegible]

## COLLISION SUMMARY

Pg 3 of 10

COLLISION LOCATION	DATE	TIME
100 SEAWORLD DR. BET. PACIFIC HWY AND I-5	7/4/90	1801

OFFICER'S CONCLUSIONS: (SUMMARIZE THE COLL. INV. WITH A WORD PICTURE. INCLUDE ALL EVIDENCE NECESSARY TO SUPPORT CHARGE.)

V-1 IS A MARKED BLACK AND WHITE POLICE CAR WITH EMERGENCY OVER HEAD LIGHTS AND SIREN. V-1 WAS DRIVEN BY OFFICER SMITH #4047 AND OFFICER CARUSO #4009 WAS THE FRONT SEAT PASSENGER.

ON 7/4/90 P-1 WAS IN ROUTE TO A COVER CALL E/B ON 1100 SEAWORLD DR. DUE TO TRAFFIC CONGESTION P-1 DROVE ON THE SIMULATED ISLAND. P-1 SAW THE RAISED ASPHALT CENTER MEDIAN AND ATTEMPTED TO STOP LEAVING 30 FT. OF LOCKED WHEEL SKID. P-1'S SPEED WAS TOO GREAT TO STOP PRIOR TO HITTING THE RAISED MEDIAN WITH THE UNDER CARRIAGE OF THE CAR. P-1 CONTINUED TO THE COVER CALL ON THE RAISED CENTER MEDIAN. P-1 CAME OFF THE MEDIAN AS HE PROCEEDED THROUGH THE INTERSECTION OF SEAWORLD DR. AND I-5'S S/B ON RAMP. THE COVER CALL WENT C-4 PRIOR TO P-1'S ARRIVAL.

EQUIPMENT 1207 WAS DRIVEN THE REST OF THE SHIFT AND PARKED AT THE NORTHERN PARKING LOT AT THE END OF THE SHIFT.

ON 7/6/90 A RANDOM ROAD TEST WAS DONE ON EQUIPMENT #1207 BY [REDACTED], A GARAGE MECHANIC. [REDACTED] NOTICED THAT THE

REPORTING OFFICER	ED. NUMBER	DIVISION	DATE AND TIME
D. JENNES	3594	T-2	7/6/90 2100

## COLLISION SUMMARY

Pg 2 of 2

COLLISION LOCATION 1100 SEAWORLD DR. BET PACIFIC HWY AND I-5		DATE 7/4/90	TIME 1801
PERSON CITED	DATE OF BIRTH	CHARGE	APPEARANCE DATE
PERSON CITED	DATE OF BIRTH	CHARGE	APPEARANCE DATE

OFFICER'S CONCLUSIONS: (SUMMARIZE THE COLL. INV. WITH A WORD PICTURE. INCLUDE ALL EVIDENCE NECESSARY TO SUPPORT CHARGE.)

CAR WAS HARD TO SHIFT AND STEER. HE DROVE THE CAR ONTO A HOIST TO LOOK AT THE UNDER CARRIAGE, AND DISCOVERED THE DAMAGE.

OFFICER S. THOMPSON #3746 AND I RESPONDED TO THE NORTHERN POLICE GARAGE TO EVALUATE THE DAMAGE. SGT. R. O'HANLON #2699 ALSO RESPONDED. (REDACTED)

THE FOLLOWING DAMAGE WAS NOTED WITH SENIOR MOTOR TEC. (REDACTED) THE RIGHT TURN SIGNAL LENS WAS CRACKED AS WELL AS THE BUMPER AREA AROUND IT. THE SHIFT LINKAGE WAS BROKEN. THE OIL PAN WAS JAMMED INTO THE CENTER LINK, 2" UP AND 1" BACK. THERE ARE SCRATCHES ON BOTH SIDES OF THE STABILIZER BAR AND BOTH FRONT RIM ARE BENT. TWO DENTS LOCATED INSIDE THE HOOD OF THE CAR WERE CAUSED BY THE ENGINE HITTING THE HOOD.

WE OBTAINED WRITTEN STATEMENTS FROM OFFICERS SMITH #4647 AND CARUSO #4009. NO INJURIES WERE SUSTAINED IN THE COLLISION.

COLL. NO.  
H. & R. NO.

REPORTING OFFICER D. JENNES	I.D. NUMBER 3594	DIVISION T-2	DATE AND TIME 7/6/90 2100
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SAN DIEGO REGIONAL  
OFFICER'S REPORT  
NARRATIVE

OFFICER'S REPORT ONLY

CONTINUED: ☐ ARR./JUV.CON.  
FROM ☐ CRIME  
☐ OTHER

PAGE 5 OF 10			CASE NUMBER		
CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY) 11-82 POLICE	MONTH 07	DAY 04	YEAR 90	DAY OF WEEK WED	TIME 1900
LOCATION OF INCIDENT (OR ADDRESS) CITY			BEAT	DISTRICT	
PERSON(S) INVOLVED: VICTIM		SUSPECT (IF NAMED)		PROPERTY TAG NO. (S)	

I WAS PASSENGER IN VEHICLE #1207, OFFICER SMITH #4047 WAS THE DRIVER. WE WERE IN ROUTE TO A COVER NOW AT DEANZA COVE. WE WERE IN THE AREA OF FIESTA ISLAND, TRAVELING E/B ON SEA WORLD APPROACHING I-5. TRAFFIC WAS BACKED UP AT THE LIGHT AT I-5 AND SEA WORLD SO WE MOVED INTO THE SIMULATED DIVIDER AREA. WE THEN STRUCK THE CENTER DIVIDER/ISLAND AND RODE ON TOP OF IT AND OFF BACK ONTO SEA WORLD AND HEADED TO N/B I-5. AT THAT POINT THERE DID NOT APPEAR TO BE ANY DAMAGE TO THE CAR. WE CONTINUED N/B I-5, STILL CODE-3, WHEN A "CODE-4" WAS BROADCAST AND WE TURNED OFF OUR LIGHTS AND SIREN.

WE THEN WENT TO MISSION BAY HOSPITAL TO LOOK AT THE VEHICLE. EVERYTHING APPEARED TO BE FINE. WE FINISHED THE REST OF THE SHIFT AND DID NOT FIND OUT ABOUT THE DAMAGE UNTIL 7-6-90 WHEN A MEMBER OF NORRIS'S GARAGE TOLD US ABOUT THE DAMAGE.

ADDITIONAL INFO: WE BOTH HAD OUR HARNESS BELTS ON AND WERE TRAVELING ABOUT 30 MPH.

REPORTING OFFICER CARUSO, P.	I.D. # 4005	DIVISION N-9	APPROVED BY:	DATE OF REPORT:	MONTH 07	DAY 06	YEAR 90	TIME 2040
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**SAN DIEGO REGIONAL  
OFFICER'S REPORT  
NARRATIVE**



OFFICER'S REPORT ONLY

CONTINUED: ☐ ARR./JUV.CON.  
FROM ☐ CRIME  
☐ OTHER \_\_\_\_\_

PAGE <b>7</b> OF <b>10</b>		CASE NUMBER	
MONTH	DAY	YEAR	DAY OF WEEK
LOCATION OF INCIDENT (OR ADDRESS)		CITY	BEAT
PERSON(S) INVOLVED: VICTIM		SUSPECT (IF NAMED)	PROPERTY TAG NO. (S)

CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY)		MONTH	DAY	YEAR	DAY OF WEEK	TIME
LOCATION OF INCIDENT (OR ADDRESS)		CITY		BEAT		DISTRICT
PERSON(S) INVOLVED: VICTIM		SUSPECT (IF NAMED)		PROPERTY TAG NO. (S)		

I WAS E/B ON SEA WORLD DR. GOING CODE-3 TO A  
COVER CALL AT DEANZA COVE. I WAS DRIVING ON THE  
CENTER ISLAND AROUND THE STOPPED TRAFFIC. I HIT THE  
CURB AT I-5. I WAS GOING ABOUT 30MPH WHEN I  
HIT THE CURB. THE CALL WENT CODE-4 BEFORE WE  
ARRIVED. WE DROVE OVER TO MISSION BAY HOSPITAL  
WHERE I LOOKED UNDER THE CAR FOR DAMAGE. THE  
STEERING FELT LIKE IT WAS OFF BUT IT WAS DRIVING  
OK. I DID NOT THINK THERE WAS ANY DAMAGE TO  
THE CAR. I THOUGHT THE ALIGNMENT WAS OFF.

REPORTING OFFICER <i>Smith, John</i>	I.D. # <b>4047</b>	DIVISION <b>N-9</b>	APPROVED BY:	DATE OF REPORT:	MONTH <b>7</b>	DAY <b>6</b>	YEAR <b>90</b>	TIME <b>2040</b>
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SAN DIEGO POLICE DEPARTMENT

# Collision Diagram

COLLISION LOCATION 1100 SEA WORLD DR

DATE 7/6/90 TIME 1801

DIAGRAM NOT TO SCALE



1100 SEA WORLD DR.

I-5  
S/B  
ONRAMP

GOUGE FROM P1'S  
UNDERCARRIAGE

27" LOCKED  
WHEEL SKID

STOPPED VEHICLES

30" LOCKED WHEEL SKID

STOPPED VEHICLES

DATE & TIME OF REPORT

7/7/90 1355

OFFICER(S)

S. THOMPSON

# 3746

SKID-SPEED INFORMATION:		SKID DATA			CENTRIFUGAL SCUFF	
DESCRIPTION OF ROADWAY		V-1	V-2	V-3	MARK USED:	
TYPE OF ROAD/CONDITION:		RF	RF	RF	LENGTH:	
ROAD CONSTRUCTION:		RR	RR	RR	CHORD:	
DIRECTION/GRADE:		LF	LF	LF	MIDDLE ORDINATE:	
		LR	LR	LR		

TEST SKID INFORMATION						TIME OF TEST:			
NO.	SPEED	L.F.	R.F.	L.F.	R.R.	TEST VEHICLE/DRIVER INFORMATION			
1						DRIVER: I.D. NO. DIVISION:			
2						MAKE	YEAR	MODEL	TYPE
3						RADAR NO. CALIBRATED		OPERATOR	
4						<input type="checkbox"/> INTERNAL <input type="checkbox"/> TUNING FORK			
						TEST COORDINATOR: I.D. NO.		DIVISION:	

TIRE INFORMATION		TEST VEHICLE	
ACCIDENT VEHICLE		TEST VEHICLE	
MANUFACTURE:		MANUFACTURE:	
MODEL:		MODEL:	
TYPE:		TYPE:	
SIZE:		SIZE:	
PSI:		PSI:	
PHOTOS TAKEN? _____		HOW WAS I.C.P. ESTABLISHED?: _____	
POLAROID: _____			
35 MM: _____			

DRAG FACTOR: TEST SKID ☐ ESTIMATE ☐

### CALCULATIONS/DESCRIPTION OF DIAGRAM:

NOT  
USED

SYMBOLS		FORMULAS		CENTRIFUGAL SCUFF EXAMPLE	
$\mu$ = DRAG FACTOR	$g$ = GRAVITATIONAL CONSTANT (32.2 FPS <sup>2</sup> )	$\mu = \frac{V^2}{2gd}$	$r = \frac{C}{8M} + \frac{M}{2}$	$\frac{FPS \times 15}{22} = \text{MPH}$	<p>ARC SHAPED SCUFF MARK</p> <p>25 FT. CHORD MIDDLE ORDINATE</p>
S = SPEED MPH	C = CHORD	$V = \sqrt{2g\mu d}$	$V = \sqrt{Rg\mu}$	$\frac{MPH \times 22}{15} = \text{FPS}$	
V = SPEED FPS	M = MIDDLE ORDINATE				
D = DISTANCE SKID LENGTH (FT.)	R = RADIUS				

# \_\_\_\_\_

POLICE EQUIPMENT ACCIDENT  
DATA SHEETDATE: 7-4-90 TIME: 1900 LOCATION: SEA WORLD AT I-5WEATHER: CLEAR DAY OF WEEK: WEDNAME AND I.D.: SMITH JOHNDATE OF HIRE: 7-24-86 YEARS: 3DATE OF BIRTH: [REDACTED] AGE: [REDACTED]WATCH/DIVISION: N-9 BEAT: 171UNIT NUMBER: 171<sup>2</sup>C.D.L.: [REDACTED]DAYS WORKED THIS WEEK: 1<sup>ST</sup> DAY / OVERTIME ON DAY OFF

HOURS WORKED TODAY: \_\_\_\_\_

SEAT BELT: HARNESS: X LAP BELT: \_\_\_\_\_

#1 PASSENGER: NAME: \_\_\_\_\_ #OFFICER -- CIVILIAN: \_\_\_\_\_

CARUSO PETER 4009SEAT BELT: HARNESS: X LAP BELT: \_\_\_\_\_

#2 PASSENGER: NAME: \_\_\_\_\_ #OFFICER -- CIVILIAN: \_\_\_\_\_

SEAT BELT: HARNESS: \_\_\_\_\_ LAP BELT: \_\_\_\_\_

ESTIMATE OF SPEED: 30 MPHNATURE OF CALL COVER CALLEQUIPMENT NUMBER/MILES: 1207 MILES: 82110

EMERGENCY LIGHTS: YES: \_\_\_\_\_ NO: \_\_\_\_\_

YELLOW ONLY: \_\_\_\_\_ XRED/YELLOW ONLY: \_\_\_\_\_ XALL-RED/BLUE/YELLOW: X \_\_\_\_\_SIREN: X \_\_\_\_\_HEADLIGHTS: X \_\_\_\_\_BRIGHTS: \_\_\_\_\_ XSPOTLIGHT: \_\_\_\_\_ XHORN: \_\_\_\_\_ X



CALL [REDACTED] TO  
REPORT ACCIDENT

ALL DAMAGE MUST BE  
INVESTIGATED BY  
IMMEDIATE SUPERVISOR

CITY OF SAN DIEGO  
RISK MANAGEMENT DEPARTMENT

ORIGINAL . . . . . SAFETY  
GREEN . . . . . CLAIMS  
YELLOW . . . DEPT./DIV. RETAIN

VEHICLE DAMAGE REPORT

CITY FILE NO. \_\_\_\_\_

CITY VEHICLE	DEPARTMENT AND DIVISION <b>POLICE NORTHERN</b>		TELEPHONE [REDACTED]	DATE OF ACCIDENT <b>7-4-90</b>	TIME OF ACCIDENT <b>1600</b>
	NAME OF CITY DRIVER <b>SMITH JOHN</b>		ADDRESS <b>4275 EASTGATE MALL</b>		TELEPHONE [REDACTED]
	DRIVERS LICENSE NO. [REDACTED]	LICENSE TYPE [REDACTED]	LICENSE EXPIRATION DATE [REDACTED]	JOB CLASSIFICATION <b>PO II</b>	DATE OF BIRTH [REDACTED]
	SOCIAL SECURITY NO. [REDACTED]				
	DESCRIBE ANY INJURY TO CITY OPERATOR, IF ANY, AND FILE FORM ES-1531A - EMPLOYEE INJURY REPORT <b>NONE</b>				
	CITY VEHICLE NO. <b>1207</b>	VEHICLE MAKE <b>FORD</b>	YEAR <b>88</b>	BODY TYPE <b>4 DR</b>	
	CHECK HOW DAMAGE OCCURRED: <input type="checkbox"/> VANDALISM <input checked="" type="checkbox"/> VEHICLE ACCIDENT <input type="checkbox"/> UNKNOWN <input type="checkbox"/> INDUSTRIAL ACCIDENT <input type="checkbox"/> OTHER		DESCRIBE DAMAGE (BE SPECIFIC): <b>DAMAGE TO UNDER BODY</b>		
	PASSENGER <b>CARUSO PETER</b>	ADDRESS <b>4275 EASTGATE MALL</b>		TELEPHONE [REDACTED]	INJURY (FILE FORM ES-1531A)
PASSENGER	ADDRESS		TELEPHONE	INJURY (FILE FORM ES-1531A)	

OTHER VEHICLE, PROPERTY OR PARTY	NAME OF DRIVER		AGE	ADDRESS	TELEPHONE	DRIVERS LICENSE NO.	
	REGISTERED OWNER		ADDRESS		TELEPHONE	VEHICLE LICENSE NO.	
	1.						
	NAME OF INSURANCE CARRIER		VEHICLE MAKE		BODY TYPE	YEAR	
	2.						
	INJURED PASSENGER OR PEDESTRIAN		AGE	ADDRESS	TELEPHONE	INJURY	PASS. PED.
	3.						
	INJURED PASSENGER OR PEDESTRIAN		AGE	ADDRESS	TELEPHONE	INJURY	PASS. PED.
	4.						
	INJURED PASSENGER OR PEDESTRIAN		AGE	ADDRESS	TELEPHONE	INJURY	PASS. PED.
5.							
NON-VEHICULAR DAMAGE - DESCRIBE - LOCATION							
OWNER		ADDRESS			TELEPHONE		

WITNESS	NAME	ADDRESS	TELEPHONE	PASS. PED.	LOCATION AT TIME OF ACCIDENT
	NAME	ADDRESS	TELEPHONE	PASS. PED.	LOCATION AT TIME OF ACCIDENT

ACCIDENT DESCRIPTION	LOCATION OF ACCIDENT		POLICE AGENCY INVESTIGATING	
	DESCRIBE HOW DAMAGE OCCURRED - USE ADDITIONAL PAPER IF NEEDED. DRAW AND INCLUDE DIAGRAM IF IT WILL HELP YOU EXPLAIN CIRCUMSTANCES. <b>I WAS DRIVING TO A COVER CALL AND JUMPED A CURB. I WAS GOING CODE-3 IN THE CENTER ISLAND ON SEAWARD DRIVE GOING AROUND THE STOPPED TRAFFIC. I DID NOT SEE THE RAISED ISLAND AND HIT IT GOING ABOUT 30 MPH. I STOPPED AT MISSION BAY HOSPITAL AND LOOKED UNDER THE CAR FOR DAMAGE AND I DID NOT SEE ANY. I DID NOT KNOW IT WAS DAMAGED UNTIL I GOT MR.</b>		PLEASE DO NOT WRITE IN THIS BLOCK	
			CLT./OBL. R/APA/ RES.	
			1	
			2	
		3		
		4		
		5		
		6		
C [REDACTED] D [REDACTED] E [REDACTED]		DATE <b>7-9-90</b>		
RM-1551 (4-83)		USE ADDITIONAL PAGES FOR OTHER VEHICLES, VICTIMS OR DAMAGE		



# SUPERVISORS VEHICLE ACCIDENT INVESTIGATION REPORT

ORIGINAL - SAFETY DIVISION  
YELLOW - CLAIMS  
GREEN - ORIGINATING DEPT.

EMPLOYEE AND VEHICLE INFORMATION	1. EMPLOYEE NAME (PRINT LAST, FIRST, M.I.) <b>SMITH, JOHN C.</b>		2. SOCIAL SECURITY NUMBER [REDACTED]		3. DEPT./DIVISION <b>Police-Northern</b>		4. DATE OF ACCIDENT <b>07 MO. 04 88</b>					
	5. JOB CLASSIFICATION <b>Police Officer II</b>		6. EMPLOYEE STATUS: SEASONAL <input type="checkbox"/> C PERM PART TIME <input type="checkbox"/> A HOURLY <input type="checkbox"/> D PERM FULL TIME <input checked="" type="checkbox"/> B LIMITED <input type="checkbox"/> E		7. EMPLOYEE WORKING OVERTIME WHEN ACCIDENT OCCURRED? NO <input type="checkbox"/> A EXTENDED SHIFT <input type="checkbox"/> B CALL BACK <input checked="" type="checkbox"/> C							
	8. TIME IN CLASSIFICATION: LESS THAN 30 DAYS <input type="checkbox"/> A 1 TO 3 MONTHS <input type="checkbox"/> B 4 MOS. TO 1 YEAR <input type="checkbox"/> C 1 TO 5 YEARS <input checked="" type="checkbox"/> D OVER 5 YEARS <input type="checkbox"/> E		9. EMPLOYED WITH CITY: LESS THAN 1 YEAR <input type="checkbox"/> A 1 TO 5 YEARS <input checked="" type="checkbox"/> B 6 TO 10 YEARS <input type="checkbox"/> C OVER 10 YEARS <input type="checkbox"/> D		10. EXPERIENCE WITH VEHICLE: IN TRAINING <input type="checkbox"/> A LESS THAN 3 MOS. <input type="checkbox"/> B 4 MOS. TO 1 YEAR <input type="checkbox"/> C 1 TO 5 YEARS <input checked="" type="checkbox"/> D OVER 5 YEARS <input type="checkbox"/> E		11. CITY VEHICLE: YES <input checked="" type="checkbox"/> A NO <input type="checkbox"/> B		12. IF YES, GIVE EQUIP. NUMBER <b>1207 (1)</b>			
	13. VEHICLE SIZE & TYPE (EX. 3/4 TON P/U) <b>4 door sedan</b>		14. VEHICLE MAKE & YEAR (EX. FORD/1969) <b>1988 Ford</b>									
ANALYSIS	15. ACTION OF CITY VEHICLE: (CHECK ALL THAT APPLY) PARKED <input type="checkbox"/> A LEFT TURN <input type="checkbox"/> F CHANGING LANES <input type="checkbox"/> K STOPPED IN TRAFFIC <input type="checkbox"/> B RIGHT TURN <input type="checkbox"/> G OTHER (BE SPECIFIC) <input type="checkbox"/> Z PREPARING TO STOP <input type="checkbox"/> C U-TURN <input type="checkbox"/> H STARTING IN TRAFFIC <input type="checkbox"/> D ROLLAWAY <input type="checkbox"/> I MOVING FORWARD <input checked="" type="checkbox"/> E BACKING <input type="checkbox"/> J										16. ACCIDENT SITE: YARD <input type="checkbox"/> A OFF ROAD/ <input type="checkbox"/> F STREET <input checked="" type="checkbox"/> B LANDFILL ALLEY <input type="checkbox"/> C PRIVATE PROP <input type="checkbox"/> G PARK <input type="checkbox"/> D FREEWAY <input type="checkbox"/> H BEACH <input type="checkbox"/> E OTHER <input type="checkbox"/> Z	
	17. DAMAGE TO: (CHECK ALL THAT APPLY) CITY VEHICLE <input checked="" type="checkbox"/> A EMPLOYEE VEHICLE <input type="checkbox"/> B OTHER VEHICLE <input type="checkbox"/> C CITY PROPERTY <input checked="" type="checkbox"/> D OTHER PROPERTY <input type="checkbox"/> E			18. INJURIES: NONE <input checked="" type="checkbox"/> A CITIZEN <input type="checkbox"/> B EMPLOYEE <input type="checkbox"/> C BOTH <input type="checkbox"/> D		19. TYPE OF RESPONSE: EMERGENCY <input checked="" type="checkbox"/> A NON-EMER. <input type="checkbox"/> B 21. AT TIME OF ACCIDENT HAD TRAINING BEEN GIVEN: WITHIN 30 DAYS <input type="checkbox"/> 6 MOS. TO 1 YEAR <input checked="" type="checkbox"/> OVER 5 YEARS <input type="checkbox"/> 1 TO 6 MONTHS <input type="checkbox"/> 1 TO 5 YEARS <input type="checkbox"/> NONE GIVEN <input type="checkbox"/>			20. ACCIDENT PROPERLY REPORTED YES <input type="checkbox"/> A NO <input checked="" type="checkbox"/> B			
	22. LOCATION OF ACCIDENT: <b>1100 Sea World Drive</b>			23. TIME OF DAY <b>4:00</b> <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.								
	DESCRIBE HOW ACCIDENT OCCURRED, INCLUDE ANY VIOLATIONS OF CITY OR DEPT. POLICY; ACTION OF OTHER VEHICLE, ROAD CONDITIONS, EQUIPMENT MALFUNCTION, ETC. (BE SPECIFIC): <b>SEE ATTACHED REPORT</b>											

CAUSE	PRIMARY CAUSE OF ACCIDENT (WHY DID THE ACCIDENT OCCUR): <b>SPEED FOR CONDITIONS</b>	

PREVENTION	WHAT HAS BEEN/WILL BE DONE TO PREVENT RECURRENCE (PLACE AN "X" BY ITEMS COMPLETED): <b>THIS COLLISION WILL BE REVIEWED AT THE COMMAND LEVEL FOR DISPOSITION.</b>	
	Richard M. O'HANLON, Sergeant	APPOINTING AUTHORITY: [REDACTED] DATE:



SAN DIEGO POLICE DEPARTMENT  
INVESTIGATOR'S REPORT

DATE (occrr.): July 4, 1990

TIME (occrr.): 1600 hours

LOCATION: 1100 Sea World Drive

SUBJECT: Supervisor's Investigation of Police Equipment Collision

Officer John C. SMITH #4047 was driving police equipment number 1207 on July 4, 1990. Officer Peter J. CARUSO #4009 was the passenger officer.

Officers SMITH and CARUSO were responding to a "Cover Now" call at De Anza Cove at approximately 1600 hours. Traffic was extremely congested on Sea World Drive due to the July 4th holiday. SMITH was driving northbound on Sea World Drive in the center island (painted) trying to avoid traffic. Prior to entering the island SMITH activated the vehicle's emergency lights and siren.

SMITH proceeded northbound on Sea World Drive and was approaching the I-5 overpass. As SMITH approached the south edge of the bridge there is a raised asphalt island. SMITH was driving over thirty(30) m.p.h. at this point.

SMITH attempted to avoid the island by braking. SMITH struck the south edge of the island with the front end of equipment 1207. The unit became airborne and landed on the island. Gouge marks were found at the point of impact and where the undercarriage contacted the island. SMITH continued driving northbound on the island. The "Cover Now" call went "Code Four" prior to SMITH and CARUSO arriving.

SMITH drove the vehicle to Mission Bay Hospital where both he and CARUSO "inspected" the vehicle for damage. SMITH and CARUSO later stated that they did not find any damage. They also stated that the vehicle was difficult to shift and appeared to be out of alignment immediately after striking the island.

SMITH drove the vehicle until the end of his shift. (2400 hours) He parked the vehicle at the Northern Division station. Northern Division garage personnel located the damaged unit at approximately 0700 on Thursday. (07-05-90) Lieutenant R. JAMES #1469 was notified of the damaged vehicle shortly after its discovery.

Equipment number 1207 is assigned to the Northern Division Beach Enforcement Team.

On Thursday morning, 07-05-90, Lieutenant JAMES contacted me and advised me of the damaged vehicle. I recall seeing SMITH and CARUSO driving a black and white sedan on July 4th. I do not recall the equipment number.

Reporting Officer  Sgt. Richard M. O'HANLON I.D. # 2699 Division N-B.E.T.

Approved By \_\_\_\_\_ Date of this report 07-07-90 Time 1930

SAN DIEGO POLICE DEPARTMENT  
INVESTIGATOR'S REPORT

DATE (occurr.):

TIME (occurr.):

LOCATION:

SUBJECT: Police Equipment Collision pg. 2

On 07-06-90 I was in the process of trying to locate SMITH and CARUSO's daily activity journal for 07-04-90. I saw SMITH and CARUSO at the garage area of Northern. Unit number 1207 was up on the rack at this time.


Officer SMITH stated at this point, "I guess I really damaged the car." This was at approximately 1820 hours. (SMITH and CARUSO were both off on Thursday, 07-06-90) A Traffic unit and Traffic supervisor responded to Northern Division. The accident scene was located and a collision report was made.

The damage to equipment number 1207 includes but is not limited to the following: bent front rims, a broken gear shift indicator, fractured right turn signal, front bumper damage, hood damage and substantial engine and undercarriage damage.

Based on the damage to Unit number 1207 and the damage located at the collision scene the following conclusion is reached.

Officer John C. SMITH was involved in a police equipment collision on 07-04-90 at approximately 1600 hours. The damage to Unit number 1207 was of such magnitude that SMITH and his partner Peter J. CARUSO should have known that they were involved in a police equipment collision.

Officer John C. SMITH, the driver, failed to properly report the collision to a police supervisor according to established department policy.

Reporting Officer  Sgt. Richard M. O'HANLON I.D. # 2699 Division N-B.E.T.

Approved By \_\_\_\_\_ Date of this report 07-07-90 Time 1930

**SAN DIEGO REGIONAL  
OFFICER'S REPORT  
NARRATIVE**



OFFICER'S REPORT ONLY

CONTINUED: ☐

ARR./JUV.CON.

☐ CRIME

☐ OTHER

PAGE

1 of 2

CASE NUMBER

CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

11-82 Police

MONTH

07

OAY

04

YEAR

90

OAY OF WEEK

WED

TIME

2230

LOCATION OF INCIDENT (OR ADDRESS)

CITY

BEAT

DISTRICT

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

THE REPORT I SUBMITTED IN REGARDS TO  
THE ACCIDENT AT SEA WORLD AND ITS WAS IN  
ERROR REGARDING THE TIME AND DESTINATION.

WE WERE IN ROUTE TO THE NORTHERN SUB  
AT APPROXIMATELY 2230 HRS. WE INSPECTED THE  
VEHICLE AT THE NORTHERN SUB.

REPORTING OFFICER

CARUSO, P.

I.O. #

4009

DIVISION

N-9

APPROVED BY:

D.F. DOUGLAS, 2237  
SGT

DATE OF  
REPORT:

MONTH

07

OAY

09

YEAR

90

TIME

1130

**SAN DIEGO REGIONAL  
OFFICER'S REPORT  
NARRATIVE**

☒ OFFICER'S REPORT ONLY  
 CONTINUED: ☐ ARR./JUV.CON.  
☐ CRIME  
☐ OTHER \_\_\_\_\_

CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY)		MONTH	DAY	PAGE 1 OF 2	CASE NUMBER	
1182 POLICE		07	04	90	WED	2230
LOCATION OF INCIDENT (OR ADDRESS)		CITY			BEAT	DISTRICT
PERSON(S) INVOLVED: VICTIM		SUSPECT (IF NAMED)			PROPERTY TAG NO. (S)	

THE REPORT I SUBMITTED ABOUT THE ACCIDENT  
 ON 07-04-90 AT SEA WORLD DR. AND I-5 WAS IN  
 ERROR REGARDING THE TIME AND DESTINATION. WE  
 WERE IN ROUTE TO THE NORTHERN 608 AT APPROXIMATELY  
 2230 HRS. WE INSPECTED THE CAR AT NORTHERN.

REPORTING OFFICER	I.D. #	DIVISION	APPROVED BY:	DATE OF REPORT:	MONTH	DAY	YEAR	TIME
SMITH	4047	N-9	D.F. DOUGLAS, SGT	07 09 90	07	09	90	1130

# DAMAGE REPORT

Equipment # <b>1207</b>	Date: <b>7-12-90</b>	Page <b>1</b> of <b>1</b>
Year: <b>1988</b>	Make: <b>FORD</b>	Mileage: <b>82,125</b>
Vin # <b>2FABP72F0JX172035</b>	Model: <b>CROWN VICTORIA 4DR</b>	License # <b>E-091830</b>
Written by: <span style="background-color: black; color: black;">[REDACTED]</span>		Title: <b>METAL FAB SUPERVISOR</b>

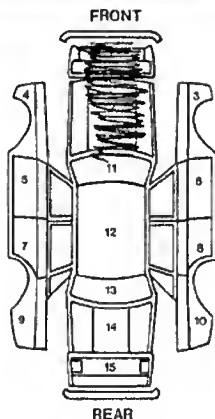
LINE NO.	REPAIR	REPLACE	DESCRIPTION OF DAMAGE	PARTS PRICE	BODY LABOR	FRAME LABOR	PAINT LABOR	MECH. LABOR	SUPPLIES	MISC.
1										
2	✓		GRILLE PANEL		1.0		2.1			
3	✓		HOOD PANEL		1.0		2.8			
4	✓		FRAME + SQUARE BODY			12.0				
5	✓		ALIGN FRONT WHEELS					1.5		
6	✓		OIL PAN w/o SENSOR	106 18				3.8		
7	✓		" " GASKET KIT	14 78				INC.		
8	✓		DECALS	1 50			.2		76.50	
9										
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29										
<b>TOTALS ▶</b>				<b>122 46</b>	<b>2.0</b>	<b>12.0</b>	<b>5.1</b>	<b>5.3</b>	<b>76.50</b>	

\$945.38



THE CITY OF  
**SAN DIEGO**  
SAN DIEGO POLICE DEPARTMENT  
330 12th Avenue  
San Diego, California 92101  
MS 730

Telephone: [REDACTED]



120	PARTS PRICE	\$ 122 46
102	BODY LABOR 2.0 HRS. @ \$30.00	\$ 60.00
104	FRAME LABOR 12.0 HRS. @ \$11.00	\$ 132.00
103	PAINT LABOR 5.1 HRS. @ \$11.00	\$ 55.90
101	MECH. LABOR 5.3 HRS. @ \$11.00	\$ 58.30
125	SUPPLIES	\$ 76.50
130	SUBLET	\$
134	TOWING	\$
	TAX	\$ 14.43
	<b>TOTAL</b>	<b>\$945.38</b>

INTERNAL AFFAIRS

REVIEW OF MATERIALS POLICY


During the Administrative portion of an Internal Affairs investigation, subject officers are entitled to review all non-confidential information obtained by Internal Affairs investigators prior to being interviewed.

All information, includes non-confidential citizen complaint forms, investigator notes, tape recorded interviews, witness statements and photographs. This right does not apply if an officer is the subject of a criminal investigation.


The right to review Internal Affairs material does not include the right to copy, photograph, tape record or make notes for the purpose of removing said material from the Internal Affairs Unit.

Subject officers will, if subject to discipline, be given a copy of all Internal Affairs materials (except tape recorded interviews) by their Commanding Officer prior to or during the imposition of discipline. Subject officers may request a copy of a tape recorded interview through their Commanding Officer.

I have read and understand the above.

  
Officer

7-13-90  
Date

  
Internal Affairs Investigator

SERGEANT

INTERNAL AFFAIRS

REVIEW OF MATERIALS POLICY

During the Administrative portion of an Internal Affairs investigation, subject officers are entitled to review all non-confidential information obtained by Internal Affairs investigators prior to being interviewed.

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I have read and understand the above.

  
Officer

7-13-90

Date,

  
Internal Affairs Investigator

567

INTERNAL AFFAIRS

REVIEW OF MATERIALS POLICY

7/24/90

Using the Administrative portion of an Internal Affairs investigation, subject officers are entitled to review all non-confidential information obtained by Internal Affairs investigators prior to being interviewed.

All information, includes non-confidential citizen complaint forms, investigator notes, tape recorded interviews, witness statements and photographs. This right does not apply if an officer is the subject of a criminal investigation.

The right to review Internal Affairs material does not include the right to copy, photograph, tape record or make notes for the purpose of removing said material from the Internal Affairs Unit.

Subject officers will, if subject to discipline, be given a copy of all Internal Affairs materials (except tape recorded interviews) by their Commanding Officer prior to or during the imposition of discipline. Subject officers may request a copy of a tape recorded interview through their Commanding Officer.

I have read and understand the above.

[Redacted]  
Officer

7/24/90  
Date

[Redacted]  
Internal Affairs Investigation

567, [Redacted]



SAN DIEGO POLICE DEPARTMENT  
INVESTIGATOR'S REPORT

DATE (occrr.): July 4, 1990

TIME (occrr.): 2230 hours

LOCATION: 1100 Sea World Drive

SUBJECT: AMENDED REPORT-Police Equipment Accident-Officer John C. SMITH ID 4047

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"FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR THE CITY ATTORNEY"

The original traffic report submitted by Officers JENNES #3594 and THOMPSON #3746 concerning the police equipment accident with Officer John C. SMITH #4047 must be amended for the following reasons:

1. The original report lists the time of the accident as 1801 hours. Further investigation revealed that the accident occurred at 2230 hours.
2. The initial report indicates that SMITH was driving in a "CODE THREE" response to a "COVER NOW" call at De Anza Cove. In fact, SMITH was driving through the center island with his red and yellow lights only when the collision occurred. SMITH was enroute to the Northern Division station when he struck the island. SMITH was NOT responding to any radio call. SMITH was driving through the island to avoid traffic that had backed up on Sea World Drive due to the Fourth of July fireworks.

The investigation into the collision is continuing. Also the fact that the accident was not properly reported is being investigated.

Appropriate disciplinary action will be recommended for Officers SMITH and CARUSO for their involvement in this incident.

A revised collision report, dated 7-28-90 is attached.

"FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR THE CITY ATTORNEY"



Reporting Officer Richard M. O'HANLON, Sergeant I.D. # 2699 Division N-B.E.T.

Approved By [REDACTED] Date of this report 7-28-90 Time 1800

# AMENDED REPORT

## SAN DIEGO POLICE DEPARTMENT TRAFFIC COLLISION REPORT

Page 1 of 10

PRIMARY CAUSE <b>SPEED</b>		NO. INJURED <b>0</b>	H & R FELONY <input type="checkbox"/>	CITY <b>SAN DIEGO</b>	BEAT <b>121</b>	COLLISION NUMBER	
SECTION <b>22350</b>		NO. KILLED <b>0</b>	H & R MISD. <input type="checkbox"/>	COUNTY <b>SAN DIEGO</b>	NCIC # <b>3711</b>		
LOCATION	COLLISION OCCURRED ON <b>1100 Sea World Drive bet. Pacific Hwy.</b>				MO. <b>07</b> DAY <b>04</b> YR. <b>90</b> TIME <b>2230</b>	DAY OF WEEK <b>S M T W T F S</b>	EMERGENCY VEH. <input checked="" type="checkbox"/>
	<b>and I-5</b>				INJURY, FATAL OR TOW AWAY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		STATE HIGHWAY RELATED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
	<input type="checkbox"/> AT INTERSECTION WITH OR <b>188' 9"</b> FEET/MILES <b>west</b> OF <b>WCL of S/B I-5 on-ramp</b>				NO. VEH'S INV'L'D. <b>one</b>		PHOTOGRAPHS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>CLASS OF COLLISION</b> <input type="checkbox"/> 1. Fatal <input type="checkbox"/> 2. Injury <input checked="" type="checkbox"/> 3. Prop. Damage Only <input type="checkbox"/> 1. At Intersection <input checked="" type="checkbox"/> 2. Not at Intersection <input type="checkbox"/> 3. On Public Property <input type="checkbox"/> 4. On Private Property			<b>INVESTIGATED</b> <input checked="" type="checkbox"/> AT SCENE <input type="checkbox"/> NOT AT SCENE	<b>FOR OFFICE USE</b> HR <input type="checkbox"/> GAR <input type="checkbox"/> SAC <input type="checkbox"/> TRAN <input type="checkbox"/> SAF <input type="checkbox"/> SSP <input type="checkbox"/> PRO <input type="checkbox"/> COR <input type="checkbox"/> INS <input type="checkbox"/>		<b>TOTAL</b>	
<b>PARTY 1</b> DRIVER'S LICENSE NUMBER <b>[REDACTED]</b> STATE <b>[REDACTED]</b> CLASS <b>[REDACTED]</b> SAFETY EQUIP. <b>B</b> VEH. YR. <b>1988</b> MAKE/MODEL/COLOR <b>Ford Crown Vic-4dr.</b> LICENSE NUMBER <b>E091830 #1207</b> STATE <b>CA</b>		DRIVER NAME (FIRST, MIDDLE, LAST) <b>JOHN CHARLES SMITH #4047</b> OWNER'S NAME/ADDRESS <input type="checkbox"/> SAME AS DRIVER <b>City of San Diego, 2010 2nd Ave. Suite 800</b>					
PEDESTRIAN <input checked="" type="checkbox"/> STREET ADDRESS <b>1401 Broadway Northern Beach Team N-9</b> DIR. OF TRAVEL <b>E</b> ON STREET OR HIGHWAY <b>1100 SeaWorld Drive</b> SPEED <b>30</b> SPEED LIMIT <b>40</b>		PARKED VEH. <input type="checkbox"/> CITY/STATE/ZIP <b>San Diego, Ca 92101</b> DESCRIBE VEHICLE DAMAGE <input checked="" type="checkbox"/> V-1 <input checked="" type="checkbox"/> XXX <input type="checkbox"/> UNKN. <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input type="checkbox"/> MOD. <input type="checkbox"/> MAJOR <input type="checkbox"/> TOTAL					
BICYCLIST <input type="checkbox"/> SEX <input type="checkbox"/> HAIR <input type="checkbox"/> EYES <input type="checkbox"/> HEIGHT <input type="checkbox"/> WEIGHT <input type="checkbox"/> BIRTHDATE <input type="checkbox"/> RACE		DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input checked="" type="checkbox"/> OTHER <b>Sgt. O'HANLON</b>					
HOME PHONE <b>( )</b> BUSINESS PHONE <b>( )</b>		<b>VIOLATION CHARGED</b> 1. _____ 2. _____ 3. _____ Form _____					
INSURANCE CARRIER <b>SELF-CITY OF SAN DIEGO</b> POLICY NUMBER _____							
<b>PARTY 2</b> DRIVER'S LICENSE NUMBER _____ STATE _____ CLASS _____ SAFETY EQUIP. _____ VEH. YR. _____ MAKE/MODEL/COLOR _____ LICENSE NUMBER _____ STATE _____		DRIVER NAME (FIRST, MIDDLE, LAST) _____ OWNER'S NAME/ADDRESS <input type="checkbox"/> SAME AS DRIVER					
PEDESTRIAN <input type="checkbox"/> STREET ADDRESS _____ DIR. OF TRAVEL _____ ON STREET OR HIGHWAY _____ SPEED _____ SPEED LIMIT _____		PARKED VEH. <input type="checkbox"/> CITY/STATE/ZIP _____ DESCRIBE VEHICLE DAMAGE <input type="checkbox"/> V-2 <input type="checkbox"/> UNKN. <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input type="checkbox"/> MOD. <input type="checkbox"/> MAJOR <input type="checkbox"/> TOTAL					
BICYCLIST <input type="checkbox"/> SEX <input type="checkbox"/> HAIR <input type="checkbox"/> EYES <input type="checkbox"/> HEIGHT <input type="checkbox"/> WEIGHT <input type="checkbox"/> BIRTHDATE <input type="checkbox"/> RACE		DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER					
HOME PHONE <b>( )</b> BUSINESS PHONE <b>( )</b>		<b>VIOLATION CHARGED</b> 1. _____ 2. _____ 3. _____ Form _____					
INSURANCE CARRIER _____ POLICY NUMBER _____							
<b>SKETCH</b>  SEE LARGE DIAGRAM  <div style="text-align: center;">           INDICATE NORTH       </div>		<b>INVESTIGATION NARRATIVE/ADDITIONAL WITNESSES</b>  SEE COLLISION SUMMARY  COLLISION NUMBER:					
INITIAL CONTACT POINT: <b>188' 9" W of WCL I-5 S/B on-ramp</b> <b>44' 4" N of NCL of 1100 Sea World Drive</b>		<div style="text-align: center;">  </div>					

Richard M. O'HANLON, Sergeant

**COLLISION INTERVIEWS**

(Driver/Passenger/Witness)

Pg 3 of 10

COLLISION LOCATION 1100 Sea World Drive		DATE 07-04-90	TIME 2230
<input checked="" type="checkbox"/> DRIVER NAME <input type="checkbox"/> OCCUP. <input type="checkbox"/> WIT.	John C. SMITH #4047	ADDRESS 1401 Broadway San Diego	PHONE HOME
VEH. #	One This interview was conducted on 7-24-90 at approximately 1330 hours.		PHONE WORK [REDACTED]

SMITH stated essentially the following:

I was driving. The accident happened about 10:30 PM. We were heading into the station after we had left the command post. The traffic on Sea World Drive was real heavy. I was driving through the center island to get around traffic. I was not responding to a call.

I had my yellow amber on and the red light to the front on. I was tapping the siren.

I hit the island just before I-5. I drove straight to the station. I looked at the car at the station. I didn't notice any damage. This was about 11:15 PM.

I was going about 30 mph when I hit the island.

<input type="checkbox"/> DRIVER NAME <input checked="" type="checkbox"/> OCCUP. <input type="checkbox"/> WIT.	Peter J. CARUSO #4009	ADDRESS 1401 Broadway San Diego	PHONE HOME
VEH. #	One This interview was conducted on 7-24-90 at approximately 0730 hours.		PHONE WORK [REDACTED]

John was driving. We were heading into the station. Traffic was real heavy because of the fireworks. We were going about 30 mph. We hit the raised center island around I-5. We parked the car near the car wash. I looked at the front of car and didn't see any damage. We were not going to a cover call.

REPO	[REDACTED]	I.D. NUMBER 2699	DIVISION N-9	DATE AND TIME 07-28-90 1800	H. & R. NO.	COLL. NO.
Richard M. J. HANLON, Sergeant						

**COLLISION INTERVIEWS**

(Driver/Passenger/Witness)

Pg 4 of 10

## COLLISION LOCATION

1100 Sea World Drive

DATE

7-4-90

TIME

2230

☐ DRIVER NAME☐ OCCUP.☒ WIT.

VEH. #

ADDRESS

PHONE HOME

PHONE WORK

This interview was conducted over the telephone on 7-9-90 at approximately

1410 hours. [REDACTED] stated essentially the following:

I was with [REDACTED]. We were on Sea World Drive heading towards the freeway. I was about 10:30 PM. It was after the fireworks and traffic was really backed up. I was in the fast lane, (N-1). I had my windows down. I saw flashing lights. I did not hear a siren.

The police car was going about 50 mph. I heard a skid and saw them hit the island. They went airborne. When they hit the ground two hubcaps came off the car. I thought they might have hit a sign, but I can't swear to it.

(AT THIS POINT I HAVE BEEN UNABLE TO LOCATE AND INTERVIEW [REDACTED])

☐ DRIVER NAME☐ OCCUP.☐ WIT.

VEH. #

ADDRESS

PHONE HOME

PHONE WORK

H. &amp; R. NO.

COLL. NO.

REPO

Richard M. O'HANLON, Sergeant

I.O. NUMBER

2699

DIVISION

N-9

DATE AND TIME

7-28-90

1800

## COLLISION SUMMARY

Pg 5 of 10

COLLISION LOCATION 1100 Sea World Drive		DATE 7-4-90	TIME 2230
PERSON CITED	DATE OF BIRTH	CHARGE	APPEARANCE DATE
PERSON CITED	DATE OF BIRTH	CHARGE	APPEARANCE DATE

## OFFICER'S CONCLUSIONS: (SUMMARIZE THE CDLL INV. WITH A WORD PICTURE. INCLUDE ALL EVIDENCE NECESSARY TO SUPPORT CHARGE.)

Officer John C. SMITH #4047 was driving Unit #1207, a marked police sedan, California license E091830. Officer Peter J. CARUSO #4009 was the passenger officer. SMITH was driving e/b on Sea World Drive at approximately 2230 hours.

The weather was cool and clear. The roadway surfaces were free from visable debris. Traffic was very heavy due to the holiday and associated firework displays. 1100 Sea World Drive is a two-laned roadway. At the time of this incident both of the e/b lanes were full of traffic.

SMITH was enroute to the Northern substation to secure from his shift. SMITH activated his rear amber and front red light. SMITH drove into the simulated island to avoid the traffic congestion. SMITH would occasionally tap his vehicle's siren. SMITH was not responding to any emergency radio call.

As SMITH was driving e/b through the island he approached a 12" raised center median. SMITH was driving approximately 30 mph at this point. SMITH was driving at too great a speed to avoid striking the island. SMITH attempted evasive action by braking. SMITH's vehicle left 30 feet of locked wheel skid prior to striking the island.

SMITH struck the raised island. The force of the impact caused the vehicle to become airborne. The vehicle travelled approximately 20 feet before landing on the

H. & R. NO.  
COLL. NO.

REPORTED BY Richard M. O'HANLON, Sergeant	I.D. NUMBER 2699	DIVISION N-9	DATE AND TIME 7-28-90 1800
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## COLLISION SUMMARY

Pg 6 of 10

## COLLISION LOCATION

1100 Sea World Drive

## DATE

7-4-90

## TIME

2230

## OFFICER'S CONCLUSIONS: (SUMMARIZE THE COLL. INV. WITH A WORD PICTURE. INCLUDE ALL EVIDENCE NECESSARY TO SUPPORT CHARGE.)

raised median.

Gouge marks were found at the point of impact and on the median where the undercarriage struck the median. SMITH continued to drive on the median until he reached the I-5 off-ramp traffic signal. SMITH drove off the median and proceeded n/b on I-5.

SMITH drove the vehicle to the Northern station where he parked the vehicle adjacent the the car wash. SMITH and CARUSO examined the vehicle but indicated that they did not notice any damage.

Garage mechanic [REDACTED] attempted to drive Unit #1207 at 0700 on 7-5-90.

was

[REDACTED] noticed that the vehicle was difficult to steer and that the rearview mirror was missing. Unit 1207 was placed on a hoist where substantial damage was located. The damage included a cracked right turn lens, damaged oil pan, damaged stabilizer bars, both front rims were bent and dents to the hood from the engine striking it.

Traffic Officers D. JENNES #3594, S. THOMPSON #3746 and Sergeant W. CLEM #1484 responded to Northern Division on 7-6-90 when Officers SMITH and CARUSO had been identified as the individuals who were in Unit 1207 when the damage had occurred. Officers THOMPSON, JENNES, SMITH, CAURO and myself went to 1100 Sea World Drive where the collision scene was located. This was on 7-6-90 at 2100 hours.

Officers SMITH and CARUSO told the traffic officers (JENNES and THOMPSON) that they were responding to a "COVER NOW" call at De Anza Cove when the accident occurred. SMITH told JENNES that he was driving through the center island while he was operating

## REPORTING OFFICER

Richard M. O'HANLON, Sergeant

## I.D. NUMBER

2699

## DIVISION

N-9

## DATE AND TIME

7-28-90 1800

**COLLISION SUMMARY**Pg 7 of 18

COLLISION LOCATION 1100 Sea World Drive		DATE 7-4-90	TIME 2230
PERSON CITE O	DATE OF BIRTH	CHARGE	APPEARANCE DATE
PERSON CITE O	DATE OF BIRTH	CHARGE	APPEARANCE DATE

**OFFICER'S CONCLUSIONS:** (SUMMARIZE THE COLL. INV. WITH A WORD PICTURE. INCLUDE **ALL** EVIDENCE NECESSARY TO SUPPORT CHARGE.)

his emergency lights and siren when he struck the raised median. SMITH and CARUSO told the investigating units that the collision occurred at approximately 1800 hours.

Further investigation revealed that the collision occurred at 2230 hours. Officer SMITH was not properly operating his emergency equipment when the collision occurred.

(THE COLLISION DIAGRAM FROM THE INITIAL REPORT, DATED 7-6-90 BY OFFICER THOMPSON #3746 IS ACCURATE AS TO THE ICP AND MEASUREMENTS. IT WILL ALSO BE USED IN THIS REPORT)

REPORTING OFFICER Richard M. O'HANLON	I.D. NUMBER 2699	DIVISION N-9	DATE AND TIME 7-28-90 , 1800
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H. & R. NO.  
COLL. NO.



# COLLISION SUMMARY

Pg 8 of 10

COLLISION LOCATION

DATE

TIME

OFFICER'S CONCLUSIONS: (SUMMARIZE THE COLL. INV. WITH A WORD PICTURE. INCLUDE ALL EVIDENCE NECESSARY TO SUPPORT CHARGE.)

NOT  
USED

REPORTING OFFICER

I.D. NUMBER

DIVISION

DATE AND TIME

# Collision Diagram

COLLISION LOCATION 1100 SEA WORLD DR

DATE 7/6/90 TIME 1801

DIAGRAM NOT TO SCALE



INDICATE NORTH

1100 SEA WORLD DR.

I-5  
S/B  
ONRAMP

GOUGE FROM P1'S  
UNDERCARRIAGE

27" LOCKED  
WHEEL SKID

STOPPED VEHICLES

30" LOCKED WHEEL SKID

STOPPED VEHICLES

DATE & TIME OF REPORT

7/7/90 1355

OFFICER(S)

S. THOMPSON

# 3746

SKID-SPEED INFORMATION		SKID DATA			CENTRIFUGAL SCUFF
DESCRIPTION OF ROADWAY		V-1	V-2	V-3	MARK USED:
TYPE OF ROAD/CONDITION:		RF	RF	RF	LENGTH:
ROAD CONSTRUCTION:		RR	RR	RR	CHORD:
DIRECTION/GRADE:		LF	LF	LF	MIDDLE ORDINATE:
		LR	LR	LR	

TEST SKID INFORMATION						TIME OF TEST:			
NO.	SPEED	L.F.	R.F.	L.F.	R.R.	TEST VEHICLE/DRIVER INFORMATION			
1						DRIVER: I.D. NO. DIVISION:			
2						MAKE	YEAR	MODEL	TYPE
3						RADAR NO. CALIBRATED		OPERATOR	
4						<input type="checkbox"/> INTERNAL <input type="checkbox"/> TUNING FORK			
						TEST COORDINATOR: I.D. NO. DIVISION:			

TIRE INFORMATION		TEST VEHICLE	
ACCIDENT VEHICLE		TEST VEHICLE	
MANUFACTURE:		MANUFACTURE:	
MODEL:		MODEL:	
TYPE:		TYPE:	
SIZE:		SIZE:	
PSI:		PSI:	
PHOTOS TAKEN? _____		HOW WAS I.C.P. ESTABLISHED?: _____	
POLAROID: _____			
35 MM: _____			

DRAG FACTOR: TEST SKID ☐ \_\_\_\_\_ ESTIMATE ☐ \_\_\_\_\_

### CALCULATIONS/DESCRIPTION OF DIAGRAM:

NOT  
USED

SYMBOLS		FORMULAS		CENTRIFUGAL SCUFF EXAMPLE	
$\mu$ = DRAG FACTOR	$g$ = GRAVITATIONAL CONSTANT (32.2 FPS)	$\mu = \frac{v^2}{2gd}$	$r = \frac{C}{8M} + \frac{M}{2}$	FPSX15 22 = MPH	<p>ARC SHAPED SCUFF MARK</p> <p>25 FT. CHORD MIDDLE ORDINATE</p>
S = SPEED MPH	C = CHORD	$v = \sqrt{2g\mu d}$	$v = \sqrt{Rg\mu}$	MPHX22 15 = FPS	
V = SPEED FPS	M = MIDDLE ORDINATE				
D = DISTANCE SKID LENGTH(FT.)	R = RADIUS				



# SUPERVISORS VEHICLE ACCIDENT INVESTIGATION REPORT

ORIGINAL - SAFETY DIVISION MS 27A  
YELLOW - CLAIMS MS 51B  
GREEN - ORIGINATING DEPT.

EMPLOYEE AND VEHICLE INFORMATION	
1. EMPLOYEE NAME (PRINT LAST, FIRST, M.I.) <b>SMITH, John C.</b>	
2. SOCIAL SECURITY NUMBER [REDACTED]	
3. DEPT./DIVISION <b>Police-Northern</b>	
4. DATE OF ACCIDENT MO. <b>07</b> DAY <b>04</b> YR. <b>90</b>	
5. JOB CLASSIFICATION <b>Police Officer II</b>	
6. EMPLOYEE STATUS: SEASONAL <input type="checkbox"/> PERM PART TIME <input type="checkbox"/> HOURLY <input type="checkbox"/> PERM FULL TIME <input checked="" type="checkbox"/> LIMITED <input type="checkbox"/>	
7. EMPLOYEE WORKING OVERTIME WHEN ACCIDENT OCCURRED? NO <input type="checkbox"/> EXTENDED SHIFT <input type="checkbox"/> CALL BACK <input checked="" type="checkbox"/>	
8. TIME IN CLASSIFICATION: LESS THAN 30 DAYS <input type="checkbox"/> 1 TO 3 MONTHS <input type="checkbox"/> 4 MDS. TO 1 YEAR <input type="checkbox"/> 1 TO 5 YEARS <input checked="" type="checkbox"/> OVER 5 YEARS <input type="checkbox"/>	
9. EMPLOYED WITH CITY: LESS THAN 1 YEAR <input type="checkbox"/> 1 TO 5 YEARS <input checked="" type="checkbox"/> 6 TO 10 YEARS <input type="checkbox"/> OVER 10 YEARS <input type="checkbox"/>	
10. EXPERIENCE WITH VEHICLE: IN TRAINING <input type="checkbox"/> LESS THAN 3 MDS. <input type="checkbox"/> 4 MDS. TO 1 YEAR <input type="checkbox"/> 1 TO 5 YEARS <input checked="" type="checkbox"/> OVER 5 YEARS <input type="checkbox"/>	
11. CITY VEHICLE: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
12. IF YES, GIVE EQUIP. NUMBER <b>1207 (1)</b>	
13. VEHICLE SIZE & TYPE (EX. 1/4 TDN P/U) <b>4 door sedan</b>	
14. VEHICLE MAKE & YEAR (E.G. FORD/1969) <b>1988 Ford</b>	
15. ACTION OF CITY VEHICLE: (CHECK ALL THAT APPLY) PARKED <input type="checkbox"/> LEFT TURN <input type="checkbox"/> CHANGING LANES <input type="checkbox"/> STOPPED IN TRAFFIC <input type="checkbox"/> RIGHT TURN <input type="checkbox"/> OTHER (BE SPECIFIC) <input type="checkbox"/> PREPARING TO STOP <input type="checkbox"/> U-TURN <input type="checkbox"/> STARTING IN TRAFFIC <input type="checkbox"/> ROLLAWAY <input type="checkbox"/> MOVING FORWARD <input checked="" type="checkbox"/> BACKING <input type="checkbox"/>	
16. ACCIDENT SITE: STREET <input checked="" type="checkbox"/> OFF ROAD <input type="checkbox"/> ALLEY <input type="checkbox"/> LANDFILL <input type="checkbox"/> PARK <input type="checkbox"/> PRIVATE PROP. <input type="checkbox"/> BEACH <input type="checkbox"/> CITY YARD <input type="checkbox"/> FREEWAY <input type="checkbox"/> OTHER <input type="checkbox"/>	
17. DAMAGE TO: (CHECK ALL THAT APPLY) CITY VEHICLE <input checked="" type="checkbox"/> EMPLOYEE VEHICLE <input type="checkbox"/> OTHER VEHICLE <input type="checkbox"/> CITY PROPERTY <input type="checkbox"/> OTHER PROPERTY <input type="checkbox"/>	
18. INJURIES: NONE <input checked="" type="checkbox"/> CITIZEN <input type="checkbox"/> EMPLOYEE <input type="checkbox"/> BOTH <input type="checkbox"/>	
19. TYPE OF RESPONSE: EMERGENCY <input type="checkbox"/> NDN-EMER. <input checked="" type="checkbox"/>	
20. ACCIDENT PROPERLY REPORTED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
21. AT TIME OF ACCIDENT HAD TRAINING BEEN GIVEN: WITHIN 30 DAYS <input type="checkbox"/> 6 MOS. TO 1 YEAR <input checked="" type="checkbox"/> OVER 5 YEARS <input type="checkbox"/> 1 TO 6 MONTHS <input type="checkbox"/> 1 TO 5 YEARS <input type="checkbox"/> NONE GIVEN <input type="checkbox"/>	
22. LOCATION OF ACCIDENT: <b>1100 Sea World Drive</b>	
23. TIME OF DAY <b>10:30</b> <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	
DESCRIBE HOW ACCIDENT OCCURRED, INCLUDE ANY VIOLATIONS OF CITY OR DEPT. POLICY; ACTION OF OTHER VEHICLE, ROAD CONDITIONS, EQUIPMENT MALFUNCTION, ETC. (BE SPECIFIC): <b>SEE ATTACHED REPORT</b> <b>THIS REPORT IS A REVISION OF THE SUPERVISOR'S REPORT SUBMITTED 07-07-90.</b>	
PRIMARY CAUSE OF ACCIDENT (WHY DID THE ACCIDENT OCCUR): <b>SPEED FOR CONDITIONS.</b>	
WHAT HAS BEEN/WILL BE DONE TO PREVENT RECURRENCE: <b>THIS COLLISION WILL BE REVIEWED AT THE COMMAND LEVEL FOR DISPOSITION</b>	
SIGNATURE: <b>RICHARD M. O'HANLON, Sergeant</b> PHONE # <b>[REDACTED]</b> APPPOINTING AUTHORITY: <b>[REDACTED]</b> DATE: <b>[REDACTED]</b>	

SAN DIEGO POLICE DEPARTMENT

INVESTIGATOR'S REPORT

DATE (occrr.): July 4, 1990

TIME (occrr.): 2230 hours

LOCATION: 1100 Sea World Drive

SUBJECT: Supervisor's Investigation of Police Equipment Collision

Officer John C. SMITH #4047 was driving police equipment number 1207 on July 4, 1990. Officer Peter J. CARUSO #4009 was the passenger officer.

Officers SMITH and CARUSO were headed to the Northern Division substation to secure from their shift. Traffic was extremely congested on Sea World Drive due to the holiday and associated firework displays. Traffic for both lanes of eastbound Sea World Drive were basically gridlocked.

SMITH was proceeding eastbound on Sea World Drive. As SMITH encountered the congestion he drove into the simulated center island. The island is delineated by double yellow lines. As SMITH entered the island he activated his rear flashing yellow light and front red light of the vehicle's overhead light bar. SMITH was driving approximately 30-35 mph at this point. This was at 2230 hours.

SMITH was NOT responding to an emergency radio call or any other call for service.

As SMITH proceeded through the island he encountered a raised asphaltic center median. SMITH was driving too fast to avoid striking this median. The front of Unit #1207 struck the median. SMITH and CARUSO were travelling with sufficient speed to cause the vehicle to become airborne. The vehicle travelled for approximately 20 feet before landing on the median.

The force of the landing caused the vehicle to "bottom out". This action caused the undercarriage to strike the median. SMITH proceeded through the median. SMITH drove off of the median and took the northbound I-5 onramp. SMITH drove Unit #1207 to Northern where he parked it near the car wash.

Both CARUSO and SMITH stated that they examined the vehicle for damage when they arrived at Northern. Both CARUSO and SMITH stated that they did not see any damage. CARUSO and SMITH stated that the steering of the vehicle was "off" as they were driving to the substation. This was at approximately 2300 hours.

On Thursday morning, 07-05-90, at approximately 0700 hours, Northern Division garage personnel located the damaged vehicle. Lieutenant R. JAMES #1469 was advised of the damaged vehicle shortly after its discovery.

Equipment number 1207 is a pool car that is normally assigned to the Northern Division Beach Enforcement Team.

On Thursday morning, 07-05-90, Lieutenant JAMES contacted me and advised me of the damaged vehicle. I recall seeing SMITH and CARUSO driving a black and white sedan the evening of July 4th. I do not recall the equipment number. SMITH and CARUSO were off on 07-05-90.

Reporting Officer RICHARD M. O'HANLON, Sergeant [Signature] I.D. # 2699 Division N-B.E.T.

Approved By \_\_\_\_\_ Date of this report 07-29-90 Time 1200

SAN DIEGO POLICE DEPARTMENT

INVESTIGATOR'S REPORT

DATE (occrr.): 07-04-90  
 TIME (occrr.): 2230 hours  
 LOCATION: 1100 Sea World Drive  
 SUBJECT: Police Equipment Collision-page two

On 07-06-90 I was in the process of trying to locate SMITH and CARUSO's Daily Activity Journal for 07-04-90. I could not locate this document. During briefing I asked CARUSO and SMITH where the journal was. They stated that they had accidentally left the journal at the lifeguard station on 07-04-90. I instructed them to locate the journal and bring it to me immediately after they located it. (This document would contain the vehicle number that SMITH and CARUSO were driving on 07-04-90.)

I saw SMITH and CARUSO talking to a mechanic at the garage area. Unit 1207 up on the rack while SMITH and CARUSO were talking to the mechanic. SMITH stated at this point, "I guess I really damaged the car." This was at approximately 1820 hours.

A Traffic unit and supervisor responded to Northern. These officers were D. JENNES #3594 and S. THOMPSON #3746. Traffic Sergeant W. CLEM #1184 also responded to Northern Division.

The damage to Unit 1207 includes but is not limited to the following: bent front rims, broken gear shift indicator, fractured right turn lens, front bumper damage, hood damage, and substantial engine, frame and undercarriage damage.

The collision scene was located at 1100 Sea World Drive. The initial contact point was determined by the gouge mark found on the raised asphalt median.

Officers SMITH and CARUSO told the traffic units that they were reponding to a "COVER NOW" call at De Anza Cove at approximately 1800 hours when they struck the median. SMITH stated that he was driving with his emergency equipment activated. Officer CARUSO verified this statement. Both CARUSO and SMITH wrote written reports, ARJIS 9's, about how the accident happened. These reports were included in the collision report made by Officers JENNES and THOMPSON.

Subsequent investigation revealed that SMITH and CARUSO's verbal and written statements as to the time and manner of the accident were untruthful.

I have prepared an "AMENDED" collision report which will be forwarded.

Based on the damage to Unit 1207 and the damage located at the collision scene the following conclusion is reached:

Officer John C. SMITH #4047 was driving in an unauthorized manner, yellow and red lights only, when he struck the raised center median. Officer SMITH gave an untruthful statment to myself, verbal and written, and to the traffic officers as to the time and manner of the collision. Officer SMITH was driving a police unit in an unsafe manner to avoid traffic congestion while enroute to secure his shift. SMITH was not reponding to an emergency or any other call

Reporting Officer RICHARD M. O'HANLON, Sergeant I.D. # 2699 Division N-B.E.T.

Approved By \_\_\_\_\_ Date of this report 07-29-90 Time 1200

SAN DIEGO POLICE DEPARTMENT  
INVESTIGATOR'S REPORT

DATE (occrr.): July 4, 1990

TIME (occrr.): 2230 hours


LOCATION: 1100 Sea World Drive

SUBJECT: Police Equipment Collision-page three

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when the collision occurred. Officer SMITH was also untruthful as to the time and manner of the collision on form RM-1551 (Vehicle Damage Report). Based on the damage to Unit 1207 Officer SMITH should have reasonably know that he was involved in a police equipment collision. SMITH failed to properly report the accident to a police supervisor according to established police procedures.

Officer CARUSO gave untruthful statements, verbal and written, to myself and the traffic officers. Officer CARUSO should have reasonably known that he and his partner, John SMITH, were involved in a police equipment collision and should have reported the collision to a police supervisor. CARUSO's untruthful statements were given on 07-06-90, when the initial police equipment collision report was completed.

Reporting Officer  *Richard M. O'Hanlon*, Sergeant I.D. # 2699 Division N-B.E.T.  
Approved By \_\_\_\_\_ Date of this report 07-29-90 Time 1200

CITY of SAN DIEGO  
MEMORANDUM

FILE NO: 385  
DATE: August 1, 1990  
TO: Sergeant R. O'Hanlon, Northern Division  
FROM: Detective J. A. Stewart, Traffic Investigations  
SUBJECT: RE: Equipment #1207

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On July 11, 1990, I inspected Police Equipment #1207 at the request of Sergeant R. O'Hanlon. The purpose of the inspection was to determine if the damage to this car was of the nature that would be readily apparent to the driver. In addition Sergeant O'Hanlon asked me to see if I could find any damage that was consistent with the car hitting a metal sign pole.

The damage to this car was rather severe. The force of the impact dislodged the motor from its mounts, forcing it up and causing two (2) dents in the hood. The suspension and transmission linkage also sustained severe damage. After inspecting the car I formed the opinion that it would be reasonable to conclude any driver would be aware of the damage.

I did not find any damage that would be consistent with impacting a sign pole.

Sergeant O'Hanlon and I went to the collision scene. There I found gouges in the raised asphaltic concrete island that were consistent with the damage on Unit 1207. There was a portion of metal sign post on the island that was in the path of the car. The break in this portion was old as evidenced by an accumulation of dirt and rust. It is my opinion, this sign pole was not involved in this incident. When I completed the inspection I photographed the scene and gave the film to Sergeant O'Hanlon.

  
Detective J. A. Stewart  
Traffic Investigation Unit

JS:lk

JS.2175,,117



CALL [REDACTED] TO  
REPORT ACCIDENT

CITY OF SAN DIEGO  
RISK MANAGEMENT DEPARTMENT

ORIGINAL ..... SAFETY  
GREEN ..... CLAIMS  
YELLOW ..... DEPT./DIV. RETAIN

ALL DAMAGE MUST BE  
INVESTIGATED BY  
IMMEDIATE SUPERVISOR

VEHICLE DAMAGE REPORT

CITY FILE NO. \_\_\_\_\_

CITY VEHICLE	DEPARTMENT AND DIVISION <b>POLICE NORTHERN</b>		TELEPHONE [REDACTED]	DATE OF ACCIDENT <b>7-4-90</b>	TIME OF ACCIDENT <b>2800</b>
	NAME OF CITY DRIVER <b>SMITH JOHN #4047</b>		ADDRESS <b>4275 EASTGATE MALL</b>		TELEPHONE [REDACTED]
	DRIVERS LICENSE NO. [REDACTED]	LICENSE TYPE [REDACTED]	LICENSE EXPIRATION DATE [REDACTED]	JOB CLASSIFICATION <b>PO II</b>	DATE OF BIRTH [REDACTED]
	SOCIAL SECURITY NO. [REDACTED]				
	DESCRIBE ANY INJURY TO CITY OPERATOR, IF ANY, AND FILE FORM ES-1531A - EMPLOYEE INJURY REPORT <b>NONE</b>				
	CITY VEHICLE NO. <b>1207</b>	VEHICLE MAKE <b>FORD</b>	YEAR <b>88</b>	BODY TYPE <b>4 DR</b>	
CHECK HOW DAMAGE OCCURRED: <input type="checkbox"/> VANDALISM <input checked="" type="checkbox"/> VEHICLE ACCIDENT <input type="checkbox"/> UNKNOWN <input type="checkbox"/> INDUSTRIAL ACCIDENT <input type="checkbox"/> OTHER		DESCRIBE DAMAGE (BE SPECIFIC): <b>DAMAGE TO UNDERBODY</b>			
PASSENGER <b>CARUSO, PETER #4009</b>		ADDRESS <b>4275 EASTGATE MALL</b>		TELEPHONE [REDACTED]	INJURY (FILE FORM ES-1531A)
PASSENGER		ADDRESS		TELEPHONE	INJURY (FILE FORM ES-1531A)

OTHER VEHICLE, PROPERTY OR PARTY	NAME OF DRIVER		AGE	ADDRESS	TELEPHONE	DRIVERS LICENSE NO.
	REGISTERED OWNER			ADDRESS	TELEPHONE	VEHICLE LICENSE NO.
	1. NAME OF INSURANCE CARRIER			VEHICLE MAKE	BODY TYPE	YEAR
	DRIVER INJURY		VEHICLE DAMAGE - DESCRIBE			
	2. INJURED PASSENGER OR PEDESTRIAN		AGE	ADDRESS	TELEPHONE	INJURY
	3. INJURED PASSENGER OR PEDESTRIAN		AGE	ADDRESS	TELEPHONE	INJURY
	4. INJURED PASSENGER OR PEDESTRIAN		AGE	ADDRESS	TELEPHONE	INJURY
	5. INJURED PASSENGER OR PEDESTRIAN		AGE	ADDRESS	TELEPHONE	INJURY
	NON-VEHICULAR DAMAGE - DESCRIBE - LOCATION					
	OWNER		ADDRESS			TELEPHONE

WITNESS	NAME	ADDRESS	TELEPHONE	PASS. PED.	LOCATION AT TIME OF ACCIDENT
	NAME	ADDRESS	TELEPHONE	PASS. PED.	LOCATION AT TIME OF ACCIDENT

ACCIDENT DESCRIPTION	LOCATION OF ACCIDENT <b>1100 SEA WORLD DRIVE, RD</b>		POLICE AGENCY INVESTIGATING <b>SDPD ADI</b>	
	DESCRIBE HOW DAMAGE OCCURRED - USE ADDITIONAL PAPER IF NEEDED. DRAW AND INCLUDE DIAGRAM IF IT WILL HELP YOU EXPLAIN CIRCUMSTANCES. <b>I WAS DRIVING ON SEAWORLD DRIVE F/B ON THE CENTER ISLAND AROUND TRAFFIC WHEN I HIT A RAISED CENTER ISLAND. I DID NOT SEE THE CENTER ISLAND. I HIT THE CURB GOING ABOUT 30 MPH.</b>		PLEASE DO NOT WRITE IN THIS BLOCK	
			CLT./OBL. RAP A RES.	
			1	
			2	
		3		
		4		
		5		
		6		
CI [REDACTED]		ATURE. [REDACTED]		
		DATE <b>8-3-90</b>		
		INFO. CARRIER A.R.B.		



DUE: 09-15-90

DEPT./DIVISION

POLICE/NORTHERN

CITY MANAGER  
VEHICLE COLLISION REVIEW  
AND PREVENTION PROGRAM  
REPORT

#90-207

TRAFFIC

## ROUTING:

CHAIRPERSON FORWARDS TO  
APPOINTING AUTHORITY FOR  
ACTION, WHO FORWARDS TO  
DEPT. HEAD FOR REVIEW.  
DEPT. HEAD FORWARDS TO  
SAFETY DIVISION, M.S. XXX 732

REVIEW COMMITTEE DATA	NAME OF EMPLOYEE (LAST, FIRST, M.I.)		ACCIDENT DATE	DATE OF REVIEW	WAS ACCIDENT REPORTED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
	SMITH, John #4047		07-04-90	08-15-90	PROPERLY
	DOES THE EMPLOYEE POSSESS A CITY DRIVER'S LICENSE?	HAS EMPLOYEE BEEN AUTHORIZED TO DRIVE THIS VEHICLE?	HAS EMPLOYEE BEEN TRAINED IN CITY-WIDE POLICIES AND PROCEDURES AS PER A.R. 75.50?		
	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		
BRIEFLY DESCRIBE <u>HOW</u> AND <u>WHY</u> THE ACCIDENT OCCURRED. INCLUDE EMPLOYEE AND/OR SUPERVISORY FAILURE WHICH MAY HAVE CONTRIBUTED. NOTE ANY FAILURE TO OBEY CITY AND/OR DEPT. POLICIES OR PROCEDURES. BE SPECIFIC.					
<p>Officer SMITH was the driver of a marked police, (Equipment #1207). The passenger was Officer Peter CARUSO #4009. The officers were enroute to the Northern Area Station at the end of their shift. Because of the 4th of July fireworks vehicular congestion, northbound lanes of Sea World Dr. were blocked with stop and go traffic. SMITH activated his overhead emergency lights and entered the center island with the intent of passing the congested traffic to travel northbound on I-5. SMITH was driving at an estimated thirty (30) miles per hour when he collided with the raised center island. His vehicle began airborne after the collision. The undercarriage sustained extensive damage. The officers initially failed to report the damage. After being confronted they told the investigating officer the collision occurred earlier in their shift as they were responding Code 3 to a cover call. An amended report was prepared by their immediate supervisor.</p>					

FINDINGS	PRIMARY CAUSE OF ACCIDENT			
	Speed			
	NON-PREVENTABLE <input type="checkbox"/>	PREVENTABLE	CATEGORY 1 <input type="checkbox"/> CATEGORY 2 <input type="checkbox"/> CATEGORY 3 <input checked="" type="checkbox"/>	NO VEHICLE ACCIDENT
CONCLUSIONS AND RECOMMENDATIONS:				
<p>Officer SMITH was driving at an unsafe speed and willfully disregarded the safety of the other motorists on the roadway. He violated Dept. Procedures 1.13 III, B, 2 &amp; 3. when he activated his emergency lights and drove in the painted center island to drive around the congested traffic.</p>				

ACCIDENT HISTORY	LIST ALL ACCIDENTS (EXCLUDING NVA'S) EMPLOYEE HAS BEEN INVOLVED IN WITHIN LAST 3 YEARS
	11-17-87 Preventable Category 1 Two hour driving class. 08-03-89 Preventable Category 1 Warning. 01-05-90 Non-Preventable.

CHAIRPERSON SIGNATURE/DATE

ACTION TAKEN	PLEASE INDICATE ALL MEASURES TAKEN TO PREVENT RECURRENCE. IF PREVENTABLE, PROVIDE CATEGORY AND DISCIPLINARY ACTION TAKEN. EXTENUATING CIRCUMSTANCES MUST BE EXPLAINED. SECTION 7.3 OF A.R. 75.12 SHOULD BE RE-READ.
	IF THIS IS EMPLOYEE'S FIRST PREVENTABLE ACCIDENT IN THREE YEARS WAS TRAINING OPTION OFFERED? IF NOT, EXPLAIN.

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>

I HAVE REVIEWED THIS  
REPORT IN ACCORDANCE  
WITH A.R. 75.12.

APPOINTING AUTHORITY/DATE

DEPT. HEAD SIGNATURE/DATE


CITY of SAN DIEGO  
MEMORANDUM

FILE NO: 430  
DATE: 9-28-90  
TO: John C. Smith, Police Officer II, I.D. #4047  
FROM: James B. Sing, Commanding Officer, Northern Division  
SUBJECT: Notice of Departmental Appeal Rights

After consideration of the information provided during your Skelly interview on WAIVED SKELLY, I have decided to forward my recommendation for your 20 DAY SUSPENSION to the Chief of Police. You have the right to appeal the recommended discipline to the Chief of Police prior to any disciplinary action being taken. In order to appeal, you must submit a written appeal to the Chief's Office within three (3) working days of receipt of this notice. Failure to make written appeal within the three day period will be deemed a waiver of your right to appeal this disciplinary action within the Department.

  
James B. Sing, Commanding Officer

This Notice of Departmental Appeal Procedure was handed to me in the presence of LT GOLLIGOS on 9-28-90. I have been given full explanation as to my right of appeal within the Department and instructions on how to proceed. Receipt of this memorandum is acknowledged.

  
Employee's Signature

9-28-90  
Date